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ABSTRACT

The Title IX/Sex Equity training model is designed to assist education personnel and interested citizens in the implementation of Title IX of the Education Amendments of 1972 and the attainment of sex equity in education. This manual provides session outlines, activities, and materials for elementary and secondary school administrators in a six-hour Title IX/sex equity workshop. Objectives of the session are (1) to share progress, problems, and concerns related to administration of Title IX compliance efforts, and to review the five basic compliance procedures required by the Title IX regulation; (2) to provide participants the opportunity to consider the role of Title IX coordinator in their own agencies; (3) to consider problems related to the implementation of the Title IX grievance procedure; (4) to provide a framework for institutional self-evaluations under Title IX; (5) to provide criteria for evaluating Title I compliance activities; and (6) to provide participants with problem-solving activities related to Title IX compliance. Accordingly, the manual provides instructions for a group session comprising 11 activities related to these areas. Each activity consists of a lecture, individual activities, small group activities, and a large group discussion. 15 participant worksheets are included, along with a workshop evaluation sheet and 11 appendixes providing various resources for the workshop. (TE)

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TRAINER MANUAL

IMPLEMENTING TITLE IX AND ATTAINING SEX EQUITY: THE ADMINISTRATOR'S ROLE

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April 1980

Adapted/Adopted
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PREFACE

The Title IX/Sex Equity training model is designed to assist educational personnel and interested citizens in the implementation of Title IX of the Education Amendments of 1972 and the attainment of sex equity in education. The training model was utilized and tested in twenty regional workshops by the Council of Chief State School Officers' (CCSSO) Title IX Equity Workshops Project. This project was funded under contract 300-76-0456 with the Women's Program Staff, U.S. Department of Education.

The training model is designed for all persons who have the opportunity to work with any persons interested in Title IX. Workshop sessions are provided for the following groups:

- Administrators, Title IX coordinators and school board members
- Instructional personnel
- Counseling and pupil services personnel
- Physical activities personnel (physical education and athletics staff)
- Community group members

The session outlines and materials were originally developed by Martha Matthews and Shirley McCune. Martha Matthews' time was partially supported by funds provided by the Ford Foundation. Shirley McCune and Martha Matthews are co-editors of the training manual.

Persons who have authored or contributed to other outlines and materials within the total package include: Linda Stebbins, Nancy Ames and Illana Rhodes (Abt Associates, Cambridge, Mass.); Judy Cusick, Joyce Kaser and Kent Boesdorfer (Resource Center on Sex Roles in Education, Washington, D.C.); Myra Sadker and David Sadker (American University, Washington, D.C.); Barb Landers (California State Department of Education, Sacramento, California); and Janice Birk (University of Maryland, College Park, Maryland).

The CCSSO, the Resource Center on Sex Roles in Education, and the coeditors of the package gratefully acknowledge the assistance and advice of M. Patricia Goins, Project Monitor, Women's Program Staff, U.S. Department of Education and Dr. Leslie Wolfe, Director, Women's Program

Staff, in the implementation of the contract. Grateful acknowledgment is also given to Sarita Schotta, Senior Research Associate, National Institute of Education for monitoring the contract which provided funds for the editing and printing of the field-test materials.

Adaptations in the training materials for Colorado School districts were made by Dr. Martha Fair, Sex-Equity Supervisor for the Colorado Department of Education and Linda S. Doyle, Consultant. The art work and cover design were done by J. J. Jackson at the Colorado Department of Education. Lee Baughman typed the manuals, and Linda Doyle and Lynn Kelly edited the manuals.

Title IX Sex Equity Staff
Equal Education Services Unit
Colorado Department of Education
April 1980

SESSION SPECIFICATIONS

ACHIEVING SEX EQUALITY: ADMINISTRATOR'S ROLE

Session Participants:

Elementary and secondary school administrators

Session Objectives:

To provide participants with the opportunity to share progress, problems and concerns related to the administration of Title IX compliance efforts.

To provide participants with a review of the five basic compliance procedures required by the Title IX regulation and their significance in continuing Title IX compliance efforts.

To provide participants with the opportunity to consider the role of the Title IX coordinator in their own agencies and some of the ways in which her/his effectiveness might be increased.

To provide participants with the opportunity to consider problems related to the implementation of the Title IX grievance procedure.

To assess and strengthen their skills in identifying problem-prevention steps and actions which can increase the effectiveness of their own Title IX grievance procedures.

To provide participants with a framework for evaluating the strengths and weaknesses of their own institutional self-evaluations under Title IX.

To provide participants with a framework for understanding the monitoring process necessary for management of Title IX compliance activities.

To provide participants with criteria for evaluating the effectiveness of their Title IX compliance activities.

To provide participants with experience in problem solving activities which are related to Title IX compliance.

To provide participants with a procedure for evaluating their styles of problem solving.

Time Required:

Six hours

(see p.xiii, "How can the workshop activities and sequence be adapted to fit shorter periods of time?")

Although the session may be conducted by a single person, it is preferable in most cases to share responsibility among several persons (female and male) who possess subject matter expertise, group process skills and who represent racial/ethnic diversity.

Group Size:

Flexible

Facilities Required:

Meeting room to accommodate expected number of participants; movable tables and chairs will facilitate small group work

Equipment and Supplies Required:

Newsprint, marker and tape, or chalkboard and chalk; overhead projector and acetate transparencies (optional); pencil and pad for each participant.

Materials Needed:

For participant use:

Title IX Implementation: Assessing Progress and Problems (Participant Worksheet 1)

The Role of the Title IX Coordinator (Participant Worksheet 2)

Implementing Title IX Grievance Procedures (Participant Worksheet 3)

Evaluating Your Title IX Self-Evaluation (Participant Worksheet 4)

Improving My Skills in Monitoring and Problem Solving (Participant Worksheet 5)

It's Up to You -- Title IX Decision Making in Fernwood Schools (Participant Worksheet 6)

Title IX Decision Making in Fernwood Schools (Participant Worksheets 7-13)

Title IX Decision Making in Fernwood Schools, Group Consensus Sheet (Participant Worksheet 14)

Improving Title IX Implementation (Participant Worksheet 15)

Implementing Title IX Grievance Procedures: Suggested Answers (Appendix A)

Title IX Decision Making: Suggested Answers (Appendices B-H)

Glossary of Terms Relating to Grants and Contracts (Appendix I)

Sources of Funding: Examples of Department of Education Funds (Appendix J)

Title IX of the Education Amendments of 1972 -- A Summary of the Implementing Regulations (Appendix K)

Workshop Evaluation Sheet

For facilitator use:

Chart (on newsprint, acetate transparency or chalkboard) of "Session Objectives"

Newsprint, tape, marker or chalkboard and chalk

Facilitator Preparation Required:

Thoroughly review this total session outline and all participant materials.

Prepare a "Session Agenda" which reflects adaptations made to best made participants' needs.

Review suggested lectures and comments and adapt them to accommodate unique group needs and facilitator(s) style(s):

"Session Introduction" (10 minutes)

"Title IX Implementation: The Required Compliance Procedures" (Activity 2) (15 minutes)

"The Role of the Title IX Coordinator in Title IX Compliance Efforts" (Activity 3) (15 minutes)

"Implementing Title IX Grievance Procedures" (Activity 4) (10 minutes)

"Reviewing and Updating the Title IX Self-Evaluation" (Activity 5) (5 minutes)

"The Compliance Assurance Forms Requirement" (Activity 6) (10 minutes)

"The Monitoring Process" (Activity 7) (5 minutes)

"Increasing the Effectiveness of Title IX Implementation" (Activity 8) (15 minutes)

Suggestions for Conduct of Workshops:

How can the workshop activities and sequence be adapted to fit shorter periods of time?

Although the session outline is designed for implementation in a six-hour period, it is recognized that it may be necessary to modify the session for implementation in a shorter period of time. When this is necessary, the facilitator(s) should review the objectives of each suggested activity carefully before making a decision about which activities would be most appropriate. If this modification is necessary, the facilitator(s) should consider the following:

- A. Carefully review the sequence and the build-up activities provided in the session outline. Each session outline has been developed to include each of the following components:

Needs assessment activity/exercise -- Session outlines begin with an introductory activity which can involve the group in the session, allow individuals to express initial concerns and provide the facilitator with general information about the perceptions and experience of the group. This initial experience is a key method of judging the specific needs of the group and estimating the optimal placing of the session objectives.

Cognitive activities -- Each session outline includes a lecture(s) to introduce new concepts and activities. These are designed to increase participants' understanding of particular problems related to sex equity and of the steps to be taken and the principles to be followed in achieving sex equity. The amount of information provided in a lecture can be reduced if the group has had previous exposure to the concepts being presented. Even with experienced groups, however, it is useful to provide a summary of the key points included in the lecture to ensure that all members of the group have a common frame of reference for subsequent activities.

Experiential activities -- These activities provide an opportunity for participants to apply the concepts

presented in cognitive activities to situations in educational practice. The purpose of these activities is to help participants assess for themselves the implications of the information presented for day-to-day activities.

Skills practice activities -- Each session outline includes a number of activities which are designed to give participants an opportunity to practice some of the skills which are necessary for the application of sex equity principles and to obtain immediate feedback regarding their efforts.

Action-planning activities -- Each session outline encourages participants to begin to identify specific steps which they or their education agency can take to promote full implementation of Title IX and/or to attain sex equity in their activities. These action-planning steps are crucial to the application of the information provided in the workshop package. They should not be eliminated and, in fact, wherever possible, it would be desirable to expand the amount of time devoted to action planning. This is particularly relevant when participants work together in the same education agency.

In most cases, it is desirable to reduce the amount of time devoted to each of the various types of activities provided rather than to omit any of the major components of the session outline.

- B. Provide participants with reading materials prior to the workshop session.

If the workshop time is limited, it may be possible to reduce the amount of time devoted to the workshop activities by providing participants with materials which can be read prior to the implementation of the workshop. If the facilitator believes that this is desirable, a summary of the information provided in the lecture or information sheet may be distributed to participants prior to the workshop.

- C. Reduce the amount of time spent on exercises and worksheets.

One way the timelines for the session can be cut is to ask the participants to consider only a limited number of cases or situations presented in their worksheets, suggesting that others be completed some time after the workshop. (If this is done, the facilitator should make certain to explore those items selected for use in the group in sufficient detail to clarify for participants the basic principles reflected in the worksheet.) In all instances, the facilitator should emphasize ways in which the participant materials may be used after the workshop.

What guidelines should be observed by facilitators throughout the workshop?

Workshops dealing with sex equity often involve participants in a questioning of some of their earliest learnings and most basic beliefs and assumptions. Individuals dealing with these issues may have negative feelings about changing roles of males and females in our society and experience fear or anger about sex equity efforts in education. It is critical that workshop facilitators understand that these reactions are to be expected and how to handle them in positive ways. Some suggestions for dealing with possible resistance or rejection of the ideas covered in the workshop are outlined below.

Workshop facilitators should:

- A. Remember that change in knowledge, attitudes, and skills requires time and continued support. Each person must move through a process of exploring, understanding and acting on new ideas before they can be accepted. Rejection of ideas presented in the workshop should not be interpreted as a personal rejection of the presenter.
- B. Work to provide continuing support to participants even when they are met by disagreement and/or resistance. Responses to be avoided by workshop personnel include:

Defensiveness -- the expression through words or behaviors that a facilitator or resource person feels as if an attack has been made against her/his personal ability or adequacy. Workshop personnel should try to maintain an open attitude and deal with the ideas presented by the participant rather than the internal feelings that these ideas may create.

Rejection of the group -- the categorizing of an individual or group as "hopeless". One of the ways that facilitators may deal with persons who disagree is to reject them. It is important that workshop leaders maintain communication with all participants and continue to work through the feelings and ideas presented.

Future predictions -- statements to an individual or the group such as, "I'm sure you'll eventually see it my way." Although it is quite likely that many who reject ideas presented in the workshops will change over a period of time, it is not helpful to dismiss the issues being considered by making future predictions.

Avoidance of the issues -- dropping relevant controversial issues before they have been considered. Avoiding open consideration of possible implications of the Title IX regulation through a comment such as, "There's really no need for major changes in most programs", does not contribute to participant learning or problem solving. Workshop facilitators should anticipate some of the controversial questions or concerns which are likely to be raised and be prepared to deal with them, if only by admitting uncertainty and a willingness to help participants obtain assistance from other sources.

Overcontrol of the participant group -- pressing the group ahead regardless of their present needs or ability to deal with some of the issues. Overscheduling for clarification questions or for consideration of the implications of the information in small group discussions is one way to overcontrol the participant group. Workshop plans must include time to ensure that participants have the opportunity for initial exploration and evaluation of the information presented.

- C. Work to maintain a climate where participants' questions, feelings and opinions can be expressed and considered. Maintain a nonjudgmental approach toward the expression of feelings or opinions which differ from those being expressed in the workshop.
- D. Provide participants with concrete information and materials whenever possible. Much of the resistance to accepting change occurs when people do not understand the rationale for change and the specific steps that must be taken in implementing change. It is essential that participants be given opportunities to identify specific directions for change, to develop the necessary skills for change, and to receive support and assistance during this process.

RESOURCES AVAILABLE

FROM THE COLORADO DEPARTMENT OF EDUCATION

Available for Loan from the Colorado Department of Education:

FILMS

"Different Folks," Agency for Instructional Television, 15 minutes (color)

** "An Equal Chance Through Title IX," 25 minutes (color)

"Free to Be ... You and Me," McGraw Hill (set of 3 films)

- I Friendship - 16 minutes (color)
- II Expectations - 14 minutes (color)
- III Independence - 17 minutes (color)

* "In the Spirit of Title IX," Richter - McBride, 33 minutes (color)

"Sex Role Development," McGraw-Hill, 23 minutes (color)

"Take this Woman," Anti-Defamation League, (color)

"Turning Points," Coronet Films, 34 ½ minutes (color)

"Women at the Top," Richter - McBride, 35 minutes (color)

FILMSTRIPS

"American Women Search for Equality," Current Affairs, March, 1973

* "Cinderella is Dead!", National Education Association

"Free to Be ... You and Me," McGraw Hill, (set of 6 filmstrips)

"Identity Female: A Program Review," Dun-Donnelly Publishing Corporation, 1975

"The Labels and Reinforcement of Sex Role Stereotyping," National Educational Association

RESOURCES AVAILABLE

(continued)

"Sexism and Racism in Children's Books," CIBC Resource Center (2 filmstrips)

- * "Title IX in the Schools," Claremont Education Resources

SLIDES & CASSETTES

"How High the Sky? How Far the Moon?", WEEA, (4 cassettes and learning guide)

"Increasing Job Options for Women," National Audiovisual Center

"Legal Responsibilities: Affirmative Action and Equal Employment," National Audiovisual Center

"Legal Rights of Women Workers," National Audiovisual Center

For information about borrowing any of the materials listed, contact:

Sex Equity Staff
Colorado Department of Education
201 East Colfax Avenue
Denver, Colorado 80203
(303) 839-2166

KEY TO DRAWINGS



DRAWING 1:

LECTURES OR INTRODUCTORY COMMENTS TO BE PRESENTED BY THE FACILITATOR. "Hip-O-Niner" is the Colorado Title IX/Sex Equity Mascot.

DRAWING 1R:
(reduced)



Small Hip-O-Niner references page numbers in participant workbook.



DRAWING 2:

INDIVIDUAL ACTIVITY



DRAWING 3:

SMALL GROUP ACTIVITY OR DISCUSSION



DRAWING 4:

LARGE GROUP ACTIVITY OR DISCUSSION



DRAWING 5:

TIME DESIGNATION FOR COMPLETION OF AN ACTIVITY

SESSION AGENDA

Session Introduction (10 minutes)

Activity 1: Title IX Implementation: Assessing Progress and Problems (25 minutes)

- A. Individual Activity--Title IX Implementation: Assessing Progress and Problems (5 minutes)
- B. Small Group Discussions (10 minutes)
- C. Large Group Discussion (10 minutes)

Activity 2: Title IX Implementation: The Required Compliance Procedures (15 minutes)

- A. Lecture--Title IX Implementation: The Required Compliance Procedures (15 minutes)

Activity 3: The Role of the Title IX Coordinator (45 minutes)

- A. Lecture--The Role of the Title IX Coordinator in Title IX Compliance Efforts (15 minutes)
- B. Individual Activity--The Role of the Title IX Coordinator (10 minutes)
- C. Small Group Discussions (10 minutes)
- D. Large Group Discussion (10 minutes)

Activity 4: Implementing Title IX Grievance Procedures (40 minutes)

- A. Lecture--Implementing Title IX Grievance Procedures (10 minutes)
- B. Small Group Discussions--Title IX Grievance Procedures --Problem Analysis (20 minutes)
- C. Large Group Discussion (10 minutes)

Activity 5: Reviewing and Updating the Title IX Self-Evaluation (20 minutes)

- A. Lecture--Reviewing and Updating the Title IX Self-Evaluation (5 minutes)
- B. Individual Activity--Evaluating Your Title IX Self-Evaluation (10 minutes)
- C. Large Group Discussion (5 minutes)

SESSION AGENDA

(continued)

Activity 6: Submission of Compliance Assurance Forms
(15 minutes)

- A. Comments--The Compliance Assurance Forms Requirement
(10 minutes)
- B. Summary (5 minutes)

Activity 7: Establishing a Framework for Monitoring
Title IX (30 minutes)

- A. Introductory Comments--The Monitoring Process (5
minutes)
- B. Individual Activity--Improving Monitoring and Problem
Solving Skills (5 minutes)
- C. Small Group Discussions (10 minutes)
- D. Large Group Discussion (10 minutes)

Activity 8: Strategies for Monitoring Title IX Imple-
mentation (25 minutes)

- A. Lecture--Increasing the Effectiveness of Title IX
Implementation (15 minutes)
- B. Questions and Answers (10 minutes)

Activity 9: Title IX Decision Making in Fernwood Schools
(70 minutes)

- A. Individual and Group Activity--Title IX Decision
Making in Fernwood Schools (45 minutes)
- B. Large Group Discussion (25 minutes)

Activity 10: Improving Title IX Implementation (20
minutes)

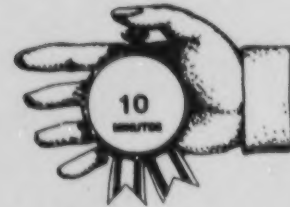
- A. Individual Activity and Paired Discussions (15
minutes)
- B. Large Group Discussion (5 minutes)

Activity 11: Summary and Workshop Evaluation (10
minutes)

- A. Summary Comments (5 minutes)
- B. Workshop Evaluation (5 minutes)



SESSION INTRODUCTION



Purposes of the Activity:

To introduce the session facilitator(s) to the participants

To provide participants with an overview of the session for administrators

To provide participants with a review of the objectives for the session

Materials needed:

For participant use:

None

For facilitator use:

A chart (on newsprint, acetate transparency or chalkboard) of the Session Objectives

Session Objectives

To share progress, problems and concerns related to the administration of Title IX compliance efforts.

To review the five basic compliance procedures required by the Title IX regulation and their significance in continuing Title IX compliance efforts.

To consider the role of the Title IX coordinator in our own agencies and some of the ways in which her/his effectiveness might be increased.

To consider problems related to the implementation of the Title IX grievance procedure and to assess and increase our skills in the identification of problem-prevention steps and actions which can increase the effectiveness of our own Title IX grievance procedures.

To assess and strengthen our skills in identify problem-prevention steps and actions which can increase the effectiveness of our own Title IX grievance procedures.

To evaluate the strengths and weaknesses of our own institutional self-evaluations under Title IX and to identify ways in which our self-evaluation may be strengthened.

To provide a framework for understanding the monitoring process and the ways we can increase monitoring skills.

To increase our effectiveness in monitoring and problem solving related to Title IX.

Facilitator Preparation Required:

Prepare chart: Session Objectives

Thoroughly review the complete session outlines and all participant materials

Review objectives and activities for the session

PROCEDURE



The session facilitator should begin by describing the purpose and format of the application sessions, making the following points:

The session is designed to provide participants with the opportunity to work with people in roles similar to theirs (in, this case, administrators, Title IX coordinators and members of boards of education) in exploring issues related to Title IX implementation and the achievement of sex equity which are particular to their role.

Next, the session facilitator should take a moment to introduce her/himself and to provide a brief description of her/his involvement in issues of Title IX sex equity as they relate to administrators and school administration. Any housekeeping information necessary--restroom location, availability of pencils and paper, scheduling of refreshments, etc.--might be presented at this time.

The session facilitator should then begin the introductory comments which can provide participants with a frame of reference for considering the session for administrators. She/he should post the chart of Session Objectives so that they are visible to participants during the comments.

Suggested Comments:

"Those of us in this session represent three different groups of persons involved in the operation of education agencies and the implementation of Title IX: school board members or persons responsible for the governance of education agencies, administrators and Title IX coordinators. Each of us has our own unique set of responsibilities and functions related to the implementation of Title IX and the attainment of sex equity in our schools and school districts.

As members of school boards or school district governance bodies, we are responsible for establishing school policies related to Title IX compliance and sex equity and for policy decision making and budget authorization for the overall school district program and operation.



As administrators--superintendents, assistant superintendents or building principals--we are responsible for the implementation of Title IX/sex equity policy as established by agency governance, for the design of educational programs according to this policy, for the monitoring and evaluation of programs and for the general supervision of service delivery and support staff.

As Title IX coordinator we are usually responsible for providing technical expertise regarding the implications of Title IX for our agencies' programs and for coordinating and monitoring the variety of day-to-day activities involved in Title IX compliance. Some of us are responsible for various activities related to Title IX grievance processing, some for providing Title IX technical assistance to other agency personnel, some for maintaining information services to the community and some for Title IX record keeping; many of us have all these responsibilities and many others at the same time.

"Within these three general categories, our own particular functions and responsibilities are shaped by the particular organization and structure of our own education agencies. Some of us may even play two roles simultaneously--for example, we may be both assistant superintendent and Title IX coordinator. As we move through this session, we will have an opportunity to discuss some of the aspects of our own particular roles and situations.

"Keeping all these differences in mind, however, it is important that we also recognize the common elements of our various roles and the unique potential and responsibility we share with regard to the implementation of Title IX and the attainment of sex equity in our schools and school districts. Each of us--whether school board member, administrator or Title IX coordinator--has both the opportunity and the responsibility to contribute to systemic and institutional change which can ensure non-discrimination and equity in the policies, programs and practices of our education agency. While teachers and counselors may modify their individual professional behaviors and practices, and both individual staff members and community members can call attention to needs for institutional change, only we have the ultimate authority



to accomplish change and support change throughout the various systems and programs in our school district. If equal opportunity is to be provided for all students and employees, systemic efforts for nondiscrimination and sex equity must be implemented. During the session we will focus on needs and methods for ensuring systemic compliance with Title IX and for attaining sex equity.

"We will begin by concentrating on consolidating a foundation for Title IX compliance and sex equity. We will focus on the five compliance procedures which are required under Title IX (development and notification of Title IX compliance policy; designation of a Title IX coordinator; adoption of an internal Title IX grievance procedure; implementation of a self-evaluation to identify and correct noncompliance; and submission of Title IX compliance assurance forms) and the ways in which we can utilize these procedures as a foundation for continuing compliance efforts. We will be examining our own implementation of these procedures and the ways in which we can strengthen them to make our compliance efforts more effective.

"We will also be considering needs and strategies for continuing problem solving and monitoring activities related to the implementation of Title IX and the attainment of sex equity in our schools and school districts. We will emphasize the assessment and refinement of our problem solving skills and the identification of methods of improving our Title IX monitoring so that we may decrease the need for sudden problem solving or crisis-by-crisis compliance efforts. We will be working to identify the kinds of programmatic actions which we can take to integrate Title IX compliance efforts within the overall administrative operations and structures of our districts.

"With this general sequence in mind, let's now review the specific objectives.

To share progress, problems and concerns related to the administration of Title IX compliance efforts.

To review the five basic compliance procedures required by the Title IX regulation and their significance in continuing Title IX compliance efforts.



To consider the role of the Title IX coordinator in our own agencies and some of the ways in which her/his effectiveness might be increased.

To consider problems related to the implementation of the Title IX grievance procedure and to assess and increase our skills in the identification of problem prevention steps and actions which can increase the effectiveness of our own Title IX grievance procedures.

To assess and strengthen our skills in identifying problem-prevention steps and actions which can increase the effectiveness of our own Title IX grievance procedures.

To evaluate the strengths and weaknesses of our own institutional self-evaluations under Title IX and to identify ways in which our self-evaluations may be strengthened.

To provide a framework for understanding the monitoring process and the ways we can increase monitoring skills.

To increase our effectiveness in monitoring and problem solving related to Title IX."

Opportunities for questions and answers should be provided before moving to the next activity.

ACTIVITY

1

TITLE IX IMPLEMENTATION: ASSESSING PROGRESS AND PROBLEMS



Activity Agenda:

- A. Individual Activity--Title IX Implementation: Assessing Progress and Problems (5 minutes)
- B. Small Group Discussions (10 minutes)
- C. Large Group Discussion (10 minutes)

Purposes of the Activity:

To provide participants an initial opportunity to assess their progress and problems in the implementation of Title IX, particularly with respect to the five compliance procedures required under the Title IX regulation

To provide the session facilitator with an indication of participants' general levels of understanding and concerns related to the focus of this session

To provide participants an opportunity to share their experiences and perceptions related to Title IX and to establish a norm for active participation by participants in session activities

Materials Needed:

For participant use:

Title IX Implementation: Assessing Progress and Problems--(Participant Worksheet 1)

For facilitator use:

Newsprint, marker and tape; or chalkboard and chalk

Facilitator Preparation Required:

Thoroughly review this total session outline and all participant materials

Review Participant Worksheet 1 carefully and prepare to process participant responses to the worksheet

PROCEDURE



A. Individual Activity: -- Title IX Implementation: Assessing Progress and Problems (5 minutes)

The purposes of this activity are to provide participants an opportunity for small group interaction around several questions which suggest the concerns to be addressed during the session and to provide the session facilitator with an indication of the participants' general levels of knowledge and frames of reference related to session concerns.

The individual activity should be introduced with comments similar to the following:

"We mentioned that during the first part of this session we will be considering the significance of the five compliance procedures required under Title IX for our continuing Title IX implementation efforts. Before we discuss each of these procedures in some detail it is useful for each of us to think back on our own experiences with Title IX implementation and to identify our progress, problems and the importance of the various compliance procedures to our own efforts.



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"Each of you should have a copy of Participant Worksheet 1, 'Title IX Implementation: Assessing Progress and Problems' in your materials. This worksheet will provide you with a number of questions to aid you in considering your own experience and, ultimately, in discussing your experience with others in the group.

"We would like each of you to spend the next five minutes responding to these questions individually. After you have finished we will spend some time sharing responses in small groups."

As participants complete their worksheets the facilitator(s) should remain available to answer questions or to provide assistance as necessary.



B. Small Group Discussions (10 minutes)

After five minutes (or when most participants appear to have completed their worksheets), the facilitator should ask participants to form groups of four to five persons each and to discuss their responses to the worksheet. The facilitator should remind participants to introduce themselves to other members of the group by giving their names, the names of their school districts and their positions or responsibilities related to Title IX. The facilitator should also encourage participants to seek out persons they do not know as they form their small groups.

Approximately 10 minutes should be provided for small group discussions. (This time may be modified slightly if the facilitator feels that the discussions seem extremely useful or if they seem to be dragging.) During the same group work the facilitator should move through the room to observe the discussions and to identify issues which should be raised in the large group discussion.

If the facilitator observes at some point that the discussion appears to have dwindled or moved to inappropriate topics, she/he may wish to remind participants of the task or should move into the large group discussion activity.



C. Large Group Discussion (10 minutes)

When the small groups have had approximately 10 minutes to discuss their responses to the worksheet questions, the facilitator should initiate a discussion in the total group. She/he may begin the discussion by simply asking for responses to the first question on the worksheet.

Processing may be facilitated by asking a second facilitator to make notes of the major points raised on newsprint. It is not necessary that every response be recorded; the purpose of the recording is simply to help the facilitator and participants keep the major points in mind and to provide a listing for reference as appropriate later during the session.

Questions which assist participants in analyzing the groups' responses should be asked during the large group discussion. These include such questions as:

Were there any similarities or patterns in your experiences?

In satisfactions?

In problems?

In your experience with the compliance procedures?

In your future needs?

Are there any differences which are evident? Do you see any possible reasons for these differences?

Differences in the roles of persons here?

Differences in the type of school districts or communities represented?

What priorities of need or action are suggested by the responses to the fifth question?



The activity should be concluded with remarks which emphasize the following points:

The implementation of Title IX is often a difficult task. The past several years have seen many of us trying to implement procedures and requirements for which precedents are few and for which standards may seem to be unclear.

The implementation of Title IX is a task of critical significance-- it is both our legal and our educational responsibility as administrators. For this reason it is important that we take some time now to review some of the actions we've taken in the past several years and consider ways in which Title IX implementation might be made more effective, more systematic and ultimately easier.

Procedures and methods which we implement to ensure Title IX compliance are the same types of procedures and methods which can increase our general administrative effectiveness--the effectiveness of our personnel management systems, our systems of data collection and analysis, etc. Investments of effort and resources in Title IX compliance can often produce benefits in other aspects of education agency operations.

Each of us has information, skills and experiences which may be of value to others in the session. We should identify persons who have information or experiences which may be helpful to us as we participate in small group and total group activities. Seek them out during the next two sessions and at other informal times during the workshop.

The activity should be concluded with some indication as to which concerns raised by participants will be addressed in the session and which are probably outside the scope of the session. The facilitator may find it useful to leave the newsprint records of participants' responses for future reference during the session.



TITLE IX IMPLEMENTATION: ASSESSING PROGRESS AND PROBLEMS



1. What do you feel has been your area of greatest progress or satisfaction in implementing Title IX?

2. What do you feel has been your area of greatest difficulty or problems in implementing Title IX?



3. Of the five required compliance procedures (notification of nondiscrimination policy; designation of Title IX coordinator; implementation of a Title IX grievance procedure; implementation of a Title IX self-evaluation; submission of compliance assurances), which one have you found most useful in facilitating Title IX implementation? Why?



4. Of the five required compliance procedures, which one have you found least useful in facilitating Title IX implementation? Why?

5. What do you think would be the greatest help to you in the future in facilitating Title IX implementation and achieving sex equity in your schools?

ACTIVITY**2**

TITLE IX IMPLEMENTATION: THE REQUIRED COMPLIANCE PROCEDURES

**Activity Agenda:**

- A. Lecture--Title IX Implementation: The Required Compliance Procedures (15 minutes)

Purposes of the Activity:

To review for participants the structure of the Title IX regulation and the five basic procedures required for compliance.

To summarize for participants the particulars of the first required compliance procedure, the notification of Title IX compliance.

Materials Needed:

For participant use:
None

For facilitator use:
None

Facilitator Preparation Required:

Thoroughly review this total session outline and all participant materials.

Review suggested lecture and adapt it to accommodate unique group needs and facilitator(s) style(s).

PROCEDURE



A. Lecture--Title IX Implementation: The Required Compliance Procedures (15 minutes)

This lecture is designed to assist participants in understanding that, although initial deadlines for completion of Title IX's procedural requirements have passed, the compliance obligation continues and that effective implementation of the basic compliance procedures can provide a critical foundation for subsequent Title IX compliance efforts. After providing a general discussion of the basic requirements and their significance, the lecture summarizes some of the detailed provisions of the policy notification requirement. (This detail is included in the lecture because no worksheet is provided related to policy notification.)

Suggested Lecture:

"We've spent a few minutes discussing our Title IX compliance experiences at a general level. Next we will be considering our compliance experiences and efforts in greater detail--we'll be trying to assess the strengths and weaknesses of our compliance programs and to identify steps that we can take to make our compliance programs both more effective and more systematic.

"Before we move into several activities which will focus in detail on various specific aspects of our compliance procedures and programs, we are going to spend a few minutes reviewing the Title IX procedural compliance requirements and their significance for our continuing operations.

"It is useful to think of the Title IX regulatory requirements as being organized within four sections:

1. A procedural section which specifies general definitions and five basic compliance procedures required of all education agencies and institutions receiving Federal funds. These requirements are an important feature of the Title IX regulation.
2. An admissions section which delineates discriminatory policies and practices which are prohibited in the admission of students to specified



educational programs. This section applies to schools of vocational education and to most postsecondary educational institutions.

3. A treatment of students section which outlines requirements for nondiscrimination in students' access to courses, student policies, counseling and guidance practices, physical education and competitive sports, facilities, financial aid, extracurricular activities, etc.
4. An employment section which specifies prohibited forms of discrimination in the employment policies and practices of educational institutions and agencies receiving Federal funds.

"The last two sections--those on the treatment of students and on employment--are those which provide the substantive criteria for nondiscrimination in the policies, programs and procedures of education agencies. The requirements for nondiscrimination in student programs and treatment, and in employment establish the basic standards for non-discrimination in education agencies.

"As school board members, administrators and Title IX coordinators we are the persons responsible for developing mechanisms and procedures for ensuring that our programs meet these standards and requirements. The first section of the Title IX regulation--the section which establishes five basic procedural compliance requirements--provides us with specifications of basic mechanisms and procedures which must be used to ensure substantive compliance in our schools and school districts. There are five basic compliance procedures required under the Title IX regulation:

1. The notification of the agency's policy of non-discrimination on the basis of sex and compliance with Title IX
2. The designation of an employee responsible for the coordination of the agency's Title IX compliance efforts
3. The development and publication of a grievance procedure for the resolution of student and employee complaints of discrimination prohibited by Title IX



4. The implementation of a self-evaluation, to identify possible noncompliance with Title IX regulatory requirements and to correct and remedy identified noncompliance
5. The submission of compliance assurances as a condition of Federal funding

"Because the initial deadlines for completion of these procedures have passed, many of us have a tendency to assume that these procedures are no longer relevant. If we are to ensure that our education agencies are in fact in compliance with Title IX, it is important that we recognize that our responsibilities for these procedures are continuing and equally important, that effective implementation of these procedures provides us with a system and mechanisms for ensuring that our school districts are in compliance with Title IX's substantive requirements for nondiscrimination.

"Let's consider for a few moments the significance of the first four procedures.

The notification of Title IX compliance policy functions to involve large numbers of persons in the Title IX compliance effort. It ensures that students, employees and others are aware of the districts' intent not to discriminate and specifies a person to whom questions regarding this policy and its implementation may be addressed. It provides employees and others (subcontractors, sponsors of extracurricular activities, users of school facilities, etc.) with a brief statement of their responsibilities for nondiscrimination.

The designation of an employee responsible for the coordination of Title IX compliance efforts ensures that responsibilities for ongoing coordination of Title IX-related efforts are clearly assigned and centralized in one person. Although the ultimate legal responsibility for compliance remains with the school board and the superintendent, and day-to-day compliance responsibilities relate to all employees, it is critical that some central checking and coordination function be maintained. This is the function which should be served by the Title IX coordinator or designated employee.



The maintenance of a grievance procedure for resolution of Title IX complaints provides a mechanism for the continuing submission by all students and employees of information related to possible noncompliance with Title IX. It helps to ensure the timely correction and remediation of instances of discrimination and noncompliance which may arise at any time and it provides a structure for the resolution of compliance problems at the local level.

The implementation of an institutional self-evaluation to identify noncompliance with Title IX and to ensure the correction and remediation of identified noncompliance should establish baseline data which provide a valuable resource for the design of all future compliance efforts and the consideration of compliance problems which may arise in the future. The adequacy and thoroughness of your self-evaluation may determine, in large measure, the number of Title IX grievances filed in the future, the degree to which all staff are aware of their specific responsibilities for nondiscrimination and the degree to which the various policies and programs of your agency are in compliance with Title IX requirements.

"Just as these four procedures are essentially tools for effective management at the local education agency level, so the fifth procedure--the submission of the compliance assurance form to the Department of Education--is a management technique of the Federal government. It is designed to assist the Federal government in ensuring that their funds are in fact given to contractors who are in compliance with Title IX.

"We will be working through several activities which help us examine three of these procedures in greater detail. We will be evaluating our own agencies in relation to the role of the Title IX coordinator, the implementation of the Title IX grievance procedure and the effectiveness of our institutional self-evaluation. Before we do, however, let's review briefly the requirement related to policy notification and make certain that we are in compliance with regard to this very important procedure.



"The notification of the agency's policy of Title IX compliance must contain two parts:

A statement of agency responsibility for compliance with Title IX requirements for nondiscrimination in education programs and employment.

A statement that any inquiries regarding Title IX and its application may be referred to the Title IX coordinator or to the Director of the Office for Civil Rights, ED.

"This notification must be made to:

Students

Parents of elementary and secondary school students

Employees

Applicants for employment

Sources of referral for employment

Employment recruitment representatives

Unions or professional organizations holding collective bargaining or professional agreements with the agency

"This policy should have been published initially in: local newspapers; publications produced by the agency or its students; and in memoranda or written communications to each student and employee.

"This policy statement must be published on all ongoing agency publications such as:

Course announcements

Bulletins or catalogs



Application forms

Student recruitment materials

Employee recruitment materials

Student handbooks

Official policy statements

and other publications made available to the groups receiving the initial policy notification. Again, responsibility for policy notification is ongoing."

The facilitator should stop at this point to determine whether participants have any questions they wish to ask before moving into the activity regarding the role of the Title IX coordinator.

ACTIVITY

3

THE ROLE OF THE TITLE IX COORDINATOR



Activity Agenda:

- A. Lecture--The Role of the Title IX Coordinator in Title IX Compliance Efforts (15 minutes)
- B. Individual Activity--The Role of the Title IX Coordinator (10 minutes)
- C. Small Group Discussions (10 minutes)
- D. Large Group Discussion (10 minutes)

Purposes of the Activity:

To review with participants the range and scope of functions and competencies expected of the Title IX coordinator in many education agencies

To review with participants some of the basic principles of personnel management and organizational functioning which relate to the role of the Title IX coordinator and her/his effective functioning

To provide participants an opportunity and structure for evaluating the role of the Title IX coordinator in their own agencies and for identifying institutional modifications which might be made to increase her/his effectiveness.

Materials Needed:

For participant use:

The Role of the Title IX Coordinator--Participant Worksheet 2

For facilitator use:

Newsprint, marker and tape; or chalkboard and chalk

Facilitator Preparation Required:

Thoroughly review this total session outline and all participant materials

Review suggested lecture and adapt it to accommodate unique group needs and facilitator(s) style(s)

Carefully review Participant Worksheet 2; consider possible participant responses; and prepare to process responses in the total group

PROCEDURE



A. Lecture--The Role of the Title IX Coordinator in Title IX Compliance Efforts (15 minutes)

This lecture is designed to assist participants in considering the role and functioning of the Title IX coordinator in the context of the institutional/organizational factors which influence her/his effectiveness. The lecture will review the significance of the Title IX coordinator's role in an agency's compliance efforts, some of the expectations which are often held related to the Title IX coordinator and some of the basic principles of personnel and organizational management which pertain to the effectiveness of the Title IX coordinator.



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Following the lecture, participants will have the opportunity to apply some of the points made in the lecture to individual and small group activities related to Participant Worksheet 2. This worksheet suggests questions which will assist participants in considering the role of the Title IX coordinator in their own school districts and the steps which might be taken to facilitate the more effective functioning of the Title IX coordinator.

Suggested Lecture:

"The second major procedural requirement of the Title IX regulation is for the designation of an employee responsible for coordinating the agency's Title IX compliance efforts. Although the designation of such a person, usually referred to as the Title IX Coordinator, does not diminish the ultimate legal responsibility of an agency's governing body and chief executive, this designation should establish some responsibility and accountability for coordination of and monitoring the diverse activities necessary to ensure Title IX compliance in any agency. For this reason, the effectiveness of the Title IX coordinator is one of the critical elements in the achievement of Title IX compliance and sex equity in any school district.

"We would like now to consider the role and functioning of the Title IX coordinator and the kinds of steps which may be taken in any district to increase the effectiveness of the Title IX coordinator. We will be considering the wide range of functions and expectations which are often



assigned to the Title IX coordinator and some principles regarding the effective functioning of the Title IX coordinator within any organizational structure.

"Most of you in this group are well acquainted with this important but somewhat ambiguous role. You are Title IX coordinators yourselves or you are administrators or school board members who work with the Title IX coordinator or who depend on the coordinator to 'take care of Title IX' for your district. As we move through the various points of the discussion, try to evaluate the applicability of the information or concern to your particular situation.

The role and functions of the Title IX coordinator

The Title IX regulation specifies no particular duties or functions for the Title IX coordinator beyond the general requirement that she/he 'coordinate' an agency's compliance activities. The potential scope of such coordination responsibilities extends throughout every aspect of an agency's policies, programs and practices.

One of the frustrations of many Title IX coordinators (and one of the sources of compliance problems in many agencies) is the breadth and ambiguity of this role. In too many instances, Title IX coordinators were designated with little realization of the potential scope of the coordination task and little effort was made to delineate specific responsibilities. As Title IX compliance efforts have evolved, many Title IX coordinators have found themselves called upon to:

Provide technical legal assistance to administrators and members of governance

Provide program development services related to nondiscrimination

Provide training to service delivery staff and others regarding Title IX requirements

Provide information services to students and parents



Develop and administer Title IX grievance procedures and, in some cases, assume responsibility for grievance decision making

Develop and administer record keeping systems related to various aspects of Title IX compliance

Develop and administer Title IX compliance monitoring systems

Provide other services 'as the need arises'

In addition, many Title IX coordinators have found themselves required to maintain a difficult balance between serving as a compliance advocate or at least informing administrators of their legal responsibilities and functioning as an employee (usually an administrator) in a school system operating under constraints of budget, staff and community pressure, a system which like most bureaucracies tends to maintain the status quo.

Another way of examining the role of the Title IX coordinator is to consider the range of competencies ideally required in such a role. These include Title IX-related competencies, administrative competencies and interpersonal competencies.

Title IX-related competencies:

In many education agencies and institutions, the Title IX coordinator(s) are the primary person(s) relied upon for technical information regarding Title IX, its implementing regulation and related administrative or judicial rulings. To provide such information, the Title IX coordinator must have:

Indepth knowledge of the Title IX regulation, interpretive memoranda issued by the Federal government, and continuing judicial decisions

General knowledge of other Federal and State nondiscrimination laws and related judicial precedents as they bear upon the interpretation of Title IX requirements



Knowledge of the internal agency/institutional Title IX grievance procedure, including:

The rationale for its various structural or administrative characteristics

Significant grievance decisions or precedents as they emerge

Knowledge of sources of information for continued updating on Title IX and related resources (materials, persons and organizations), activities and events

Administrative competencies:

The Title IX coordinator must, in addition to understanding the technical requirements of Title IX, have the ability to transfer these requirements and related grievance resolutions into the actual program of the education agency/institution. In order to accomplish this, she/he is expected to possess considerable administrative knowledge and skills:

Thorough knowledge of, and experience in, the decision making structure and operations of the agency/institution

Knowledge of the personnel policies and practices of the agency/institution

Knowledge of the student programs and related policies and practices of the agency/institution

Ability to design, implement and monitor compliance activities:

To obtain and analyze data relevant to Title IX compliance

To delineate compliance goals and objectives

To establish compliance time lines



To allocate staff assignments

To develop and implement monitoring and reporting procedures

To develop and implement record keeping procedures or systems

Ability to prepare reports on Title IX compliance activities and make recommendations for action by appropriate decision makers

Interpersonal competencies:

Successful coordination of Title IX compliance activities potentially requires that the Title IX coordinator obtain the understanding, cooperation and action of the many different students and employees of an education agency/institution. The Title IX coordinator must therefore demonstrate interpersonal communication skills or competencies in order to obtain the constructive involvement of a variety of persons in the grievance process and compliance activities. Some of these skills or competencies are:

Ability to interpret and personalize technical Title IX information for use by employees and students

Ability to design and implement relevant

Training activities

Consultation services

Continuing information services

Ability to communicate effectively both orally and in writing with a variety of constituencies

Ability to diagnose, clarify and mediate differences of opinion

Ability to maintain nonjudgemental and nonthreatening behaviors in situations of conflict



Ability to state a position clearly and assertively in situations of opposition

Ability to establish a positive climate for Title IX compliance efforts

It is unlikely indeed that many individuals possess all of these diverse and sometimes specialized competencies. Many Title IX coordinators are, however, expected to display all of these.

In most cases, the roles of the Title IX coordinator and the competencies expected of that person evolved over a period of time in the absence of careful delineation. It is important that we now take time to re-evaluate these in light of our experience, and to specify the functions and competencies of the Title IX coordinator in a manner which reflects realistic expectations and the unique organizational structures of our own education agencies.

Basic principles regarding the effective functioning of the Title IX coordinator within the organizational structure of the agency/institution

As we consider the role and functioning of the Title IX coordinator and the steps we can take to increase her/his effectiveness, it is useful to keep in mind several basic principles regarding the effective functioning of the coordinator within the organizational structure of an education agency or institution. Regardless of the particular structure involved, the Title IX coordinator cannot be optimally effective unless:

The functions and responsibilities of the Title IX coordinator are clearly delineated and communicated to all levels of agency/institutional governance and administration and to all employees and students

The competencies required of the Title IX coordinator to fulfill these functions and responsibilities are delineated and she/he is provided training necessary to acquire/increase these competencies and/or access to support staff who can supply necessary competencies

The Title IX coordinator is provided all information and all authority or access to authority necessary to



enforce compliance requirements and mandate compliance programs and activities

Let's discuss each of these in a little more detail.

Delineation and communication of the functions and responsibilities of the Title IX coordinator:

One of the difficult aspects of the role of the Title IX coordinator is the possible contradiction which may be involved in advocating any changes necessary to ensure compliance with Title IX requirements while serving as an employee of an institution or agency which may tend to maintain the status quo. Although this need not be problematic, difficulties may occur if the coordinator's role, functions and responsibilities are not adequately defined and communicated, fully supported by middle and top management and understood by employees and students. Too often difficulties experienced in Title IX compliance efforts are considered to be indications of some personal inadequacy on the part of involved individuals. Many of these difficulties may rather be a result of a lack of clarity and understanding regarding compliance requirements and the role of the Title IX coordinator within the agency/institution.

All administrators, staff and students should be made aware that the overall role and responsibilities of the Title IX coordinator are established by Federal regulation and that the ultimate criteria which guide agency/institutional compliance efforts are those specified by the same regulation. Further, it should be understood that if the coordinator is to coordinate agency/institutional compliance efforts effectively as the Title IX regulation requires, her/his responsibilities must include preventive as well as corrective or remedial activities. Corrective and remedial activities involve those which might be undertaken to correct noncompliance identified through the grievance process,



or during the required agency/institutional self-evaluation (e.g., the modification of sex differentiation in a salary schedule) and to remedy its effects (e.g., the awarding of back pay to employees who suffered from the discriminatory schedule). Preventive activities involve those such as the periodic assessment of the awareness of employees and students regarding Title IX requirements or the provision of training and updating services to staff regarding their compliance responsibilities.

In addition to ensuring such understanding of the general role of the Title IX coordinator, it is important to delineate and communicate the specific functions which she/he is expected to perform--functions related to technical assistance, staff training, grievance administration, data collection, etc. It is important to review these to make sure that they are realistic and that adequate time is provided for their performance. It is also important to ensure that these functions are consistent--for example, that the Title IX coordinator is not made responsible both for grievance advocacy and grievance decision making. The Title IX coordinator need not be personally responsible for all compliance activities; the key function is that of coordination.

It is valuable in all education agencies to ensure that a written position description is developed for the Title IX coordinator and that information regarding the responsibilities of this position is provided to all relevant staff.

Delineation of required competencies and provision of necessary training and support

As we delineate the functions of the Title IX coordinator it is important that we also specify the competencies required for performance of these functions--the Title IX-related competencies, the administrative competencies and the interpersonal competencies. Once these competencies have been specified, we must ensure that



our Title IX coordinators are either provided training which can assist them in acquiring/increasing competencies which they may lack or access to other staff who can provide complementary expertise. For example, Title IX-related publications might be provided by the district's public information staff working with the Title IX coordinator; certain Title IX compliance data might be obtained or analyzed by persons responsible for other research type activities, etc.

Provision to the Title IX coordinator of access to information and authority

Effective implementation of the role of the Title IX coordinator may only occur when the coordinator has open access to information and to administrative and decision making authority in all areas covered by the Title IX regulation. The coordinator must have the power to obtain information relevant to the determination and monitoring of compliance, and to effectuate and enforce necessary compliance actions in any relevant aspect of agency/institutional policy, procedure or practice.

Because Title IX compliance is ultimately the responsibility of the agency's/institution's chief administrative officer, it is advisable that the Title IX coordinator report directly to this officer or to an individual at the highest level of management who has direct and immediate access to the chief administrative officer.

"Underlying each of these principles is the responsibility of education agencies and institutions to ensure that all possible support is provided for the functioning of the Title IX coordinator. An effective Title IX coordinator can assist agencies and institutions in interpreting and complying with their legal obligations for nondiscrimination (obligations which must be met if eligibility for Federal financial assistance is to be maintained) and in fulfilling their educational responsibility to provide equal opportunity to all students."

The facilitator should pause at this point to give participants a brief opportunity to ask clarifying questions. Lengthy discussion should, if possible, be postponed until the large group discussion activity.

B. Individual Activity--The Role of The Title IX Coordinator (10 minutes)



The purpose of this activity is to provide participants an opportunity to consider the role and function of the Title IX coordinator in their own education agencies and to identify steps which might be taken to increase the effectiveness of this person.

The facilitator should introduce the activity with comments such as the following:

"When many of us think of the Title IX coordinator in our own district we tend to think of her/his personal attributes or particular interactions we've had with that person. If we ourselves are Title IX coordinators, we may tend to see our problems in terms of our own inadequacies or interpersonal conflicts we may have experienced.

"It is important that we remember, however, that the effectiveness of the Title IX coordinator in our district (or our own effectiveness in this role) is shaped by a variety of institutional factors such as those we have just considered--factors such as role delineation, role support, access to authority and information, etc.



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"Each of you has a copy of Worksheet 2, 'The role of the Title IX Coordinator,' which is designed to help you consider the institutional factors which affect the functioning of the Title IX coordinator in your school district. We'd like each of you to spend about 10 minutes completing the worksheet individually, then we'll be discussing it in small groups. Please work as rapidly as you can."

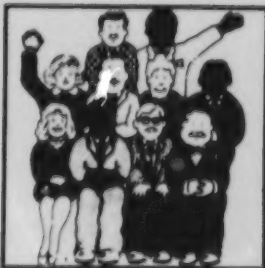
As participants are working individually, the facilitator(s) should attempt to observe participants' general progress on the worksheet. She/he should remain available to answer any questions which may arise.



C. Small Group Discussions (10 minutes)

After most participants appear to have completed the worksheet, the facilitator should ask them to form groups of three persons each and to discuss their responses. They should be asked to focus particularly on sections III and IV, which focus on the strengths and weaknesses of the role of the Title IX Coordinator as it is established in their own districts.

During the small group discussions the facilitator(s) should circulate throughout the room and observe the discussions. If the small groups appear to be having difficulty, the facilitator may wish to reconvene the total group and work through the questions systematically with the group.



D. Large Group Discussion

After participants have had an opportunity to share their responses in small groups, the facilitator should reconvene the total group for discussion. If participants were able to discuss effectively in their small groups, the facilitator may begin the discussion by asking the participants to volunteer the strengths and weaknesses they identified in sections III and IV. After some of these have been shared, the facilitator should then ask participants about the action steps they identified for improving the effectiveness of the Title IX coordinator in their own agencies.

(If participants seemed to experience difficulty with the worksheet, the facilitator should work through all the major points in the total group.)

The facilitator may find it useful to raise questions such as the following:

How well did your initial description of the Title IX coordinators' responsibilities coincide with your answers to the later, more detailed items? How easy was it for you to respond to these items?

What are the primary strengths of the way that the role of the Title IX coordinator is defined in your district?

What conflicts seem to be manifest in the role of the Title IX coordinator?

What suggestions could you make for improving the structure necessary for effective functioning of the Title IX coordinator?



The facilitator should underscore the following points:

The success of the Title IX coordinator is dependent in large measure on the administrative structure provided. Three critical elements that must be provided in the district administrative structure are:

Clarity of the role which is envisioned for the Title IX coordinator

Access to authority and information

Specific delineation of the job responsibilities of the Title IX coordinator

At least two major conflicts are frequently inherent in the role of the Title IX coordinator. These are between:

The role of the Title IX coordinator as an employee of the school district and the role of the Title IX coordinator as a facilitator in assisting students and employees to file grievances against the district

The role of the Title IX coordinator as an administrator in a position of authority and the role of the Title IX coordinator as a person who is easily accessible to students and employees (this may be dealt with by naming Title IX representatives in the various school buildings in the district)

If any Title IX coordinator is going to be successful, she/he must have access to adequate staff and financial resources



THE ROLE OF THE TITLE IX COORDINATOR



The Title IX regulation requires that every education agency receiving Federal funds designate at least one employee responsible for the coordination of its efforts to comply with Title IX. The effectiveness of this employee, or Title IX Coordinator, is one of the critical elements in the achievement of Title IX compliance and sex equity in any district. When we think of the effectiveness of this individual, we often think primarily in terms of her or his personal attributes. There are, however, a variety of institutional factors which are at least as important as personal attributes in understanding the effectiveness of the Title IX coordinator.



This worksheet is designed to assist you in considering the institutional factors which influence the functioning of the Title IX Coordinator in your district. If you are a school board member or administrator, answer the questions based on your understanding of the role of the Title IX Coordinator in your district. If you are the Title IX Coordinator in your district, answer them from your personal experience.



The worksheet is organized in five sections:

- I. Defining the role
- II. Analyzing the role
- III. Identifying strengths
- IV. Identifying improvements
- V. Accomplishing improvements

(Note: The Title IX regulation established no particular requirements for the responsibilities or authority of the Title IX coordinator. The questions on this worksheet are based on general principles of organizational and personnel administration rather than on legal guidelines.)

I. Defining the Role

What are the responsibilities of the Title IX Coordinator in your school or school district? (Describe or list as many as you can before you turn the page.)

II. Analyzing the Role

The effectiveness of the Title IX Coordinator is influenced by a variety of factors. Consider each of the factors suggested below and answer the questions as they relate to the Title IX Coordinator in your school or school district.

A. Role delineation and communication

1. Is there a written job description for the Title IX Coordinator which clearly specifies the tasks and responsibilities of the job?

2. Have all students and staff been informed of the functions of the Title IX Coordinator and of their responsibilities for assisting or cooperating with the coordinator in fulfilling these functions?

B. Access to authority and information

1. To whom does the Title IX Coordinator report?

2. Does the Title IX Coordinator have full access to the chief executive officer in your district?

3. Are procedures specified for the regular exchange of information between the Title IX Coordinator and the chief administrative officer? If so, what are they?
4. Has the right of the Title IX Coordinator to obtain access to any information necessary to the performance of job responsibilities been clearly specified to all staff?

C. Scope of responsibilities of tasks

1. Does the Title IX Coordinator have responsibility for:

Grievance procedure administration?

Grievance advocacy for:

Students?

Employees?

The Administration?

Grievance resolution or decision making?

Compliance record keeping?

Program development/decision making?

Program recommendations?

Staff training/assistance/communications?

Student or parent interaction/assistance/communications?

Other (specify):

2. Does the Title IX Coordinator have job responsibilities other than those of Title IX Coordination? If so, what are they?

D. Competencies required/support available

1. How would you describe the competencies or skills required by the Title IX Coordinator?

Title IX knowledge:

Administrative competencies:

Interpersonal competencies:

Other:

2. Were these specified as criteria for the selection of the Title IX Coordinator?
3. Has the Title IX Coordinator received any training in these areas?
4. Does the Title IX Coordinator have support from other staff with any of these competencies?

III. Identifying Strength

As you analyze the role and responsibilities of the Title IX Coordinator in your district, what do you see as strengths which have contributed to her/his effective functioning?

- A. Strengths related to role delineation and communication:

- B. Strengths related to access to authority and information:

- C. Strengths related to scope of responsibilities and tasks:

- D. Strengths related to competencies required and support available:

As you consider the strengths of your district related to the functioning of the Title IX Coordinator, what suggestions/assistance would you have for other school districts interested in improving the effectiveness and functioning of their Title IX coordinators?

IV. Identifying Improvements

As you analyze the role and responsibilities of the Title IX Coordinator in your district, do you see any improvements which might contribute to her/his effective functioning?

A. Improvements related to role delineation and communication:

B. Improvements related to access to authority and information:

C. Improvements related to scope of responsibilities and tasks:

D. Improvements related to competencies required and support available:

V. Accomplishing Improvements

What steps could be taken to accomplish each of the improvements you have identified?

ACTIVITY

4

IMPLEMENTING TITLE IX GRIEVANCE PROCEDURES



Activity Agenda:

- A. Lecture--Implementing Title IX Grievance Procedures (10 minutes)
- B. Small Group Discussions--Title IX Grievance Procedures --Problem Analysis (20 minutes)
- C. Large Group Discussion (10 minutes)

Purposes of the Activity:

To review with participants factors relating to the implementation of effective Title IX grievance procedures

To provide participants an opportunity to assess and increase their skills in identifying problems related to the implementation of Title IX grievance procedures and in identifying problem prevention strategies and steps

To provide participants an opportunity to identify steps that they can take to prevent or correct problems related to the implementation of the Title IX grievance procedure in their own agencies

Materials Needed:

For participant use:

Implementing Title IX Grievance Procedures--Participant Worksheet 3

Implementing Title IX Grievance Procedures--Suggested Answers (Appendix A)

For facilitator use:

Newsprint, tape and marker; or chalkboard and chalk

Facilitator Preparation Required:

Thoroughly review this total session outline and participant materials

Review suggested lecture and adapt it to accommodate unique group needs and facilitator(s) style(s)

Thoroughly review Participant Worksheet 3 and the sample responses provided in Appendix A; prepare to process the discussion of participants' responses to the worksheet (Note: Part Two of this worksheet is optional; facilitators should make certain, however, that they are sufficiently familiar with this part to discuss it if the need arises)

PROCEDURE



A. Lecture--Implementing Title IX Grievance Procedures (10 minutes)

The purpose of this lecture is to review for participants some of the considerations related to the effective implementation of Title IX grievance procedures. The lecture suggests points which may be applied to the identification of problems related to the implementation of grievance procedures as they are presented in Participant Worksheet 3 and as they may occur in the participants' own school districts.

Suggested Lecture:

"The third compliance procedure required under the regulation to implement Title IX is the development, publication and maintenance of a grievance procedure for the resolution of student and employee allegations of violations of Title IX. It is this grievance procedure which provides education agencies with an important mechanism for the continuing identification and correction of Title IX violations. Not only is the maintenance of a grievance procedure required by the Title IX regulation, it is a basic method of ensuring continuing monitoring of our Title IX compliance efforts.

"The basic functions which must be served by any Title IX grievance procedure are two:

The identification of policies, procedures and practices which do not comply with the requirements of the Title IX regulation

The correction of identified discrimination and the provision of redress to persons discriminated against

If a grievance procedure is to fulfill these functions it must be both structurally sound and effectively implemented.

"We should remember that the structure of a grievance procedure should be designed to ensure equitability and due process to all parties in the grievance. It should provide for progressive levels of appeal or grievance consideration and it should provide some assurance that grievance decisions will be made by persons not directly involved in the outcome of the grievance.



"Equitability and due process depend not only on the structure of the grievance procedure but also on its implementation. Even the most carefully designed grievance procedure will not fulfill its purposes unless it is effectively implemented. A well implemented grievance procedure should:

Provide a mechanism for involving staff and students in the monitoring of Title IX compliance and the correction of sex discrimination

Increase dialogue and mutual problem solving related to issues of educational equity among the various staff levels of the education agency

Increase dialogue between the community and the schools related to issues of educational equity

Protect the education agency from Federal investigation and intervention by providing a mechanism for resolution of allegations of Title IX violations and development of necessary corrective and remedial actions at the local level

"Let's consider for the next few minutes some of the issues related to the implementation of effective Title IX grievance procedures and some of the ways that we may ensure that our procedures not only provide due process and equitability but also serve some of these other important functions. We will consider three primary issues: grievance follow-up and monitoring; the dissemination of information regarding the grievance procedure and/or grievance decisions and their implications; and the training of staff regarding grievance processing. Title IX requirements and/or grievance decisions and their implications.

Grievance follow-up and monitoring

"Again, the fundamental purpose of a Title IX grievance procedure is to provide a fair, orderly and systematic process for identifying, modifying and remedying any agency policy, procedure or practice which is not in compliance with Title IX requirements. Given the variety of pressures which are placed upon most agency employees for a number of different actions at any one time, it is



unlikely that all necessary modifications and remedial steps will be taken unless consistent follow-up and monitoring procedures are implemented. A variety of follow-up and monitoring systems may be used, but in any system four functions must be performed if grievance follow-up is to be assured:

Every grievance decision must be reviewed and its implications for the modification of policy, procedures and practice delineated

Every modification necessary must be broken into its component tasks, the various staff responsibilities from these tasks identified and timelines specified for their implementation

Any information and assistance needed by staff for performance of these tasks must be identified and provided

Procedures for the reporting and monitoring of progress or problems in the achievement of these modifications must be implemented

These functions may, of course, involve a number of staff members. It is advisable, however, that coordination of follow-up and monitoring efforts be made the function of the Title IX coordinator.

Dissemination of information regarding the grievance procedure and/or grievance decisions and their implications

"If the Title IX grievance procedure is to be effectively implemented, two kinds of information must be disseminated:

Information regarding the existence of the grievance procedure and its use--The utilization of the Title IX grievance procedure is both a right of students and employees and a benefit to the education agency; it provides a mechanism for the identification of previously unidentified noncompliance and an alternative to the Federal administrative complaint process. The utilization of an agency's grievance procedure will in the long run be determined by whether



grievants find it a fair procedure and one through which they can actually achieve correction of discrimination. More immediately, however, utilization of the procedure will depend upon the understanding of students and employees of their rights under Title IX and of the grievance procedure which is available to them for protection of these rights. This information may be provided in many ways; through the development and distribution of various types of written materials; through the provision of periodic briefings; or through a combination of techniques. It may be targeted generally to all groups or specific efforts may be developed for specific audiences.

Information regarding grievance decisions and their implications--If Title IX compliance is to be ensured throughout the agency or school district, it is critical that all staff be provided information regarding the nature of grievance decisions and their implications for specific agency policies, programs and practices. Further, analysis and dissemination of information with regard to the handling and resolution of Title IX complaints can serve several functions:

It can serve as one means of continuing policy notification (as required by the Title IX regulation) and of policy specification

It can provide administrators and staff with a knowledge of sex discrimination and Title IX compliance problems which can serve as a resource for program administration and implementation.

It can inform students, parents, employees and other interested persons regarding agency/institutional compliance efforts and it may assist in the clarification of Title IX issues which, if left unclarified, might result in the filing of unnecessary grievances with a resultant drain on time and personnel resources

Such information may be provided through ongoing publications, periodic briefings or open grievance records (with names and identifying information removed). If grievance records are opened, it is still useful to provide some summary analysis of the decisions and their implications.



Dissemination of such information is basic to the effective implementation of Title IX grievance procedures.

Training of staff regarding grievance processing, Title IX requirements and/or grievance decisions and their implications

"The training of staff regarding Title IX requirements, grievance processing, and grievance decisions and their implications is probably the most critical component of any grievance process. Two sorts of training are required:

Training which can assist staff in making grievance decisions, if such a role is provided by your grievance procedure--The involvement of staff from all segments of the education agency is one valuable method of ensuring staff involvement in the Title IX compliance process and providing some assurance of relatively neutral grievance decision making. Many agencies have found it useful to institute grievance hearing panels with representatives of the school administration, school governance, school staff and sometimes the community. If this is done, however, all persons must be provided training regarding both the specific requirements of Title IX and methods and procedures for equitable grievance handling. Training of this sort is basic to the meaningful implementation of a grievance procedure. All persons with responsibilities for grievance decision making--whether superintendent, school board member or community member--must be provided training which can ensure knowledgeable and fair decision making.

Training which can assist staff in implementing grievance decisions and Title IX compliance efforts--Title IX compliance and the implementation of grievance related modifications and remedial steps often calls upon educators to engage in new and unfamiliar behaviors -- behaviors which they may not understand or possess the skills or knowledge to implement successfully. It is important that needs for training be recognized and that necessary training be provided for all staff involved in new compliance procedures.

The provision of more general Title IX-related training to all education personnel can also establish a more receptive

climate for Title IX compliance efforts, and make subsequent grievance related training more effective.

It is important that we begin to consider these issues as they relate to our own agencies and districts. Implementation of such efforts now may help us to prevent problems or to alleviate problems which have arisen so far in our Title IX compliance and grievance processing efforts.

Before moving into the worksheet activities designed to help participants apply this information, the facilitator should pause briefly to respond to any questions raised by participants.



**B. Small Group Discussions--Title IX Grievance Procedures
--Problem Analysis (20 minutes)**

The purpose of this activity is to provide participants with an opportunity to assess and extend their skills in the recognition of problems related to the implementation of Title IX grievance procedures and the identification of problem prevention strategies or steps. Sample cases are provided for their consideration in the small group discussions.

The facilitator should introduce the activity with comments such as the following:



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"We've reviewed several basic issues related to the implementation of Title IX grievance procedures; now we're going to see if we can apply this information to the analysis of problem situations related to the implementation of Title IX grievance procedures. We'd like you to work in groups of four on the problem situations you'll find listed in Part One of Participant Worksheet 3.

"If you'll turn to Part One of the worksheet you'll find five problems described. If you turn two pages further, you'll notice a number of 'Problem Analysis Sheets', one corresponding to each problem situation. In your small groups, we'd like each of you to read the problem situations one at a time and analyze each in your group. You'll note that the sheet asks you to identify the problem reflected in each situation, to categorize it according to

the five types of problems identified and to suggest steps which might have been taken to avoid the problems.

"Let's review the meaning of each of the problem categories listed on the top of the page:

The structure of the grievance procedure--Does the procedure provide for progressive levels of appeal and some assurance of impartial decision making? Is it easy to use?

The decision making process--Are grievance decisions made in an impartial fashion? Do they reflect knowledge of Title IX requirements?

Grievance follow-up and monitoring--Are necessary steps taken to ensure that grievance decisions are reviewed for their implications and the responsibilities of all staff for the implementation of necessary modifications and remedial steps identified? Are timelines for corrective and remedial steps established? Are procedures for reporting regarding progress and problems related to the modifications specified?

Dissemination of information regarding the Title IX grievance procedure and/or grievance decisions and their implications--Is information regarding the purpose and use of the grievance procedure available to all students and employees? Is information regarding grievance decisions and their implications made available to all students and staff so that they may better understand both their rights and responsibilities for nondiscrimination?

Training of staff regarding grievance processing, Title IX requirements and grievance decisions and their implications--Are staff provided training regarding their responsibilities for grievance processing and the implementation of grievance decisions? Are staff provided training in specific areas and skills required to ensure nondiscrimination as required by the Title IX regulation and grievance decisions?

As you read each problem situation, try to determine which one of these categories is most relevant to the problem described and why. Then try to identify the kinds of actions which might have been taken to avoid the problem.

After reviewing these instructions, the facilitator should work through a sample problem analysis with the total group. She/he should ask participants to take a moment to read the problem situation, then she/he should pose the worksheet questions to the group for their response. If no response is forthcoming, the facilitator may then suggest responses. (She/he may refer to Appendix A for this purpose, but she/he should not call participants' attention to this answer sheet at this time.) In working through the sample analysis with the group, the facilitator should be careful to provide only one piece of information at a time and wait for participants to consider this before supplying additional information.



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When one analysis has been completed in the total group, the facilitator should remind participants to form groups of four persons and to work through the rest of the analyses in these groups. Approximately 15 minutes should be provided for this portion of the activity. Participants should be encouraged to consider the situations thoroughly, rather than rushing to complete all of them. As the discussions proceed, the facilitator should move through the room to identify issues which should be raised in the total group processing or to provide any assistance which may be required.

(The facilitator should also remind participants that they are to work only on Part One of the worksheet; Part Two will be considered later if time permits, or participants may return to this part after they leave the workshop.)

C. Large Group Discussion (10 minutes)



After participants have spent approximately 15 minutes in small group discussions, the facilitator should reconvene the total group and discuss the activity.

It may be useful to begin the discussion by asking participants to share their responses and analyses of one of the



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remaining four problem situations. Rather than discussing all of the situations, the facilitator may refer participants to Appendix A (provided in the Participant Workbook), ask participants to review it briefly and take any questions which may result. If sufficient time remains, the facilitator should attempt to steer the discussion to the implications of this activity for the implementation of Title IX grievance procedures in the participants own school districts. This may be done by means of a question such as:

"Do you see any similarities between these problem situations and the kinds of problems you experience in your own agencies? Do you see steps that you might take to alleviate the problems in your district?"



The facilitator should summarize the activity with points such as the following:

An effective Title IX grievance procedure is one of the most important mechanisms for ensuring continuing compliance and monitoring of Title IX compliance efforts.

Implementation of an effective Title IX grievance procedure requires active efforts to ensure that:

Grievance decisions are implemented

Staff and students are informed of grievance decisions and resultant modifications of agency policy, practice and procedures

Staff with responsibility for grievance decision making are trained in the requirements of Title IX and principles of equitable grievance processing

Staff with responsibility for implementing grievance decisions are provided necessary information and training to enable them to comply with their responsibilities

An effective Title IX grievance procedure can provide channels and mechanisms of communications which may be useful in other agency programs and activities.



IMPLEMENTING TITLE IX GRIEVANCE PROCEDURES



The Title IX regulation requires that all education agencies receiving Federal funds adopt and publish a grievance procedure which can provide for the prompt and equitable resolution of student and employee complaints alleging violations of Title IX requirements. In the absence of further Federal specification of standards for the procedure, education agencies have adopted a variety of procedures which demonstrate a wide range of structures and of effectiveness.



The effectiveness of the Title IX grievance procedure can be a critical variable in the implementation of Title IX and the attainment of sex equity. It can serve to:

- Provide a mechanism for involving staff and students in the monitoring of Title IX compliance and the correction of sex discrimination

- Increase dialogue and mutual problem solving related issues of educational equity among the various staff levels of the education agency

- Increase dialogue between the community and the schools related to issues of educational equity

- Protect the education agency from Federal investigation and intervention by providing a mechanism for resolution of allegations of Title IX violations and development of necessary corrective and remedial actions at the local level

The purpose of this worksheet is to help you to increase the effectiveness of the Title IX grievance procedure in your district and to implement the procedure in such a way that it can serve the various functions listed above. The worksheet is organized in two parts:

Part One: Implementing Title IX Grievance Procedures--Problem Analysis

This part contains a number of sample problems in grievance procedure implementation and worksheets on which you analyze the problems and identify actions which might prevent them.

(Optional) Part Two: Implementing Title IX Grievance Procedures--Identifying Strategies to Increase Their Effectiveness

This part reviews several of the functions which may be served by a Title IX grievance procedure and provides a structure for identifying strategies which might be used to ensure that a grievance procedure serves these functions.



Part One: Implementing Title IX Grievance Procedures-- Problem Analysis

The five situations described below are typical of the problems encountered by many administrators in the implementation of the Title IX grievance procedure. They are problems in which substantive issues of Title IX compliance may be involved (e.g., is the athletics program nondiscriminatory?), but the primary problem in each situation relates to the implementation of the Title IX grievance procedure. The problems involve such issues as: the structure of the grievance procedure; the grievance decision making process; grievance follow-up and monitoring; dissemination of information regarding the grievance procedure and/or grievance decisions and their implications; and training of staff regarding grievance processing, Title IX requirements; and grievance decisions and their implications.



Following the five problem situations, you will find five problem analysis sheets. Please read each situation carefully and fill out the problem analysis sheet which corresponds to each. Be as specific as you can in your answers.

Problem One

Ms. Rivera, the Title IX Coordinator in your district, is upset. During the past week, she has been very busy trying to prepare a summary and analysis of all Title IX grievances filed during the past semester for presentation at the next school board meeting. In the past three days, however, she has had to spend a total of seven hours discussing possible Title IX grievances with two parents and one student, all of whom also wished to discuss problems which were outside the scope of Title IX. Ms. Rivera realizes that parents and students need information on Title IX and the grievance procedure, but feels that providing this information takes up so much of her time that she is having difficulty completing her other work.

Problem Two

Mr. Jenkins teaches metals shop in Lanier High School. He is meeting with the assistant superintendent to discuss his unhappiness with a recent grievance decision regarding participation by females in his program, particularly with that portion of the decision which relates to the use of facilities by female students. The Assistant Superintendent has reviewed the grievance decision and he believes it to be in accordance with Title IX requirements; this is what he tells Mr. Jenkins. Mr. Jenkins states repeatedly that he doesn't understand the reasoning behind the decision, that he feels it isn't workable, and that "teachers never have a say" in things that affect them and their classrooms. He also states that he is considering filing a grievance in the grievance procedure provided in the negotiated agreement between the school district and the teachers' association of which he is a member.

Problem Three

You are the superintendent of a school district which has eight elementary schools, four junior high schools and two senior high schools. You also act as Title IX Coordinator, and as such you are responsible for receiving any Title IX grievances filed. As Superintendent, you are also responsible for deciding these grievances. You have never received a Title IX grievance, but you understand that a citizen's group is considering filing a complaint with the Office for Civil Rights regarding your district's grievance procedure. You wonder why.

Problem Four

As Superintendent, you have just retained a new legal counsel for your school system. One of the first things she requested was a copy of your Title IX grievance procedure and a summary of the grievances filed and grievance decisions made over the past three months. You have just received a memo from her which states that although she thinks that your use of a grievance hearing panel (composed of one administrator, one teacher and one community member) at the third and final level of the grievance procedure was a good idea for ensuring involvement of various school interest groups, she is concerned about the substance of the panel's decision making. She suggests that

two recent decisions involving competitive athletics are misinterpretations of Title IX requirements and that the district may in fact be in noncompliance.

Problem Five

You are the Title IX Coordinator in your school district. In reviewing the most recent Title IX grievances filed, you notice that four almost identical recent grievances concern discrimination in student behavior codes. You are concerned because the grievances involved the same issue which was resolved in a grievance four months ago. You examine the grievances and you discover that: one grievance is from a student in the same school in which the grievance was resolved four months ago and it appears that the corrective steps agreed upon in that case have not been implemented; and the other three grievances suggest that two other schools involved in these grievances have not received word of the revised district policy.

Problem Analysis--Problem One

How would you describe the nature of the problem?

Is it related to:

- _____ The structure of the grievance procedure
- _____ The grievance decision making process
- _____ Grievance follow-up and monitoring
- _____ Dissemination of information regarding the grievance procedure and/or grievance decisions and their implications
- _____ Training of staff regarding grievance processing/Title IX
- _____ Requirements/grievance decisions and their implications

Reasons for your choice:

How might this problem have been avoided?

Problem Analysis--Problem Two

How would you describe the nature of the problem?

Is it related to:

- ☐ The structure of the grievance procedure
- ☐ The grievance decision making process
- ☐ Grievance follow-up and monitoring
- ☐ Dissemination of information regarding the grievance procedure and/or grievance decisions and their implications
- ☐ Training of staff regarding grievance processing/Title IX
- ☐ Requirements/grievance decisions and their implications

Reasons for your choice:

How might this problem have been avoided?

Problem Analysis--Problem Three

How would you describe the nature of the problem?

Is it related to:

- _____ The structure of the grievance procedure
- _____ The grievance decision making process
- _____ Grievance follow-up and monitoring
- _____ Dissemination of information regarding the grievance procedure and/or grievance decisions and their implications
- _____ Training of staff regarding grievance processing/Title IX
- _____ Requirements/grievance decisions and their implications

Reasons for your choice:

How might this problem have been avoided?

Problem Analysis--Problem Four

How would you describe the nature of the problem?

Is it related to:

- _____ The structure of the grievance procedure
- _____ The grievance decision making process
- _____ Grievance follow-up and monitoring
- _____ Dissemination of information regarding the grievance procedure and/or grievance decisions and their implications
- _____ Training of staff regarding grievance processing/Title IX
- _____ Requirements/grievance decisions and their implications

Reasons for your choice:

How might this problem have been avoided?

Problem Analysis--Problem Five

How would you describe the nature of the problem?

Is it related to:

- _____ The structure of the grievance procedure
- _____ The grievance decision making process
- _____ Grievance follow-up and monitoring
- _____ Dissemination of information regarding the grievance procedure and/or grievance decisions and their implications
- _____ Training of staff regarding grievance processing/Title IX
- _____ Requirements/grievance decisions and their implications

Reasons for your choice:

How might this problem have been avoided?

(Optional)

Part Two: Implementing Title IX Grievance Procedures--
Identifying Strategies to Increase Their Effectiveness

The opening page of this worksheet contained a listing of some of the functions which can be served by an effectively implemented Title IX grievance procedure. These include:

Providing a mechanism for involving all personnel and students in the monitoring of Title IX compliance and the correction of illegal sex discrimination

Increasing dialogue and mutual problem solving related to issues of educational equity among the various personnel levels of the education agency

Increasing dialogue between the community and the schools related to issues of educational equity and educational problems

Protecting the education agency from Federal intervention by providing a mechanism for resolution of allegations of Title IX violations and development of necessary corrective and remedial actions at the local level

A Title IX grievance procedure which serves these functions cannot only help to ensure that an education agency remains in compliance with the law, but can also help to establish patterns and structures of communication which can be utilized in the solution of a variety of problems which may arise in any agency.

These functions are not served by all Title IX grievance procedures automatically; special efforts must be made to ensure that a procedure is implemented in such a way as to make these functions possible.

Each of these functions is listed on the next several pages with space provided below it. Please consider each function and then list the kinds of strategies or action steps which might be taken in implementing a grievance procedure to ensure that it is fulfilled. You may find it

useful to review the problem analyses you've just completed for ideas. You should remember to keep in mind the problem categories used in Part One of this worksheet: the structure of the grievance procedure; the grievance decision making process; grievance follow-up and monitoring; dissemination of information regarding the grievance procedure and/or grievance decisions and their implications; and the training of staff regarding grievance processing, Title IX requirements, and grievance decisions and their implications. You may identify useful action steps related to any of these areas.

Remember to list action strategies and action steps which relate to the implementation of the Title IX grievance procedure.

Function One: Providing a mechanism for involving all personnel and students in the monitoring of Title IX compliance and the correction of illegal sex discrimination

Action strategies/steps which can ensure meaningful involvement of all personnel and students in the Title IX monitoring process:

Function Two: Increasing dialogue and mutual problem solving related to issues of educational equity among the various personnel levels of the education agency (e.g., increasing dialogue between administrators and teachers, administrators and counselors, etc.)

Action strategies/steps which can ensure dialogue between different levels of personnel within the education agency regarding Title IX and educational equity:

Function Three: Increasing dialogue between the community and the schools related to issues of educational equity and educational programs

Action strategies/steps which can ensure school/community dialogue regarding the Title IX grievance procedure:

Function Four: Protecting the education agency from Federal intervention by providing a mechanism for resolution of allegations of Title IX violations and development of necessary corrective and remedial actions at the local level

Action strategies/steps which can ensure the validity of a grievance procedure as a mechanism for identifying and correcting Title IX violations:

Summary

With these functions and strategies in mind, can you identify steps which you should take to improve the effectiveness of the Title IX grievance procedure in your district?

ACTIVITY**5****REVIEWING AND
UPDATING THE TITLE IX
SELF-EVALUATION****Activity Agenda:**

- A. Lecture--Reviewing and Updating the Title IX Self-Evaluation (5 minutes)
- B. Individual Activity--Evaluating Your Title IX Self-Evaluation (10 minutes)
- C. Large Group Discussion (5 minutes)

Purposes of the Activity:

To review and assess the content and process used in the implementation of the self-evaluation required by the Title IX regulation

To identify those areas of weakness in the self-evaluation which may suggest reassessment or updating of the self-evaluation

Materials Needed:**For participant use:**

Evaluating Your Title IX Self-Evaluation--Participant Worksheet 4

For facilitator use:

None

Facilitator Preparation Required:

Thoroughly review this total session outline and participant materials

Read suggested lecture and adapt it to unique group needs and facilitator(s) style(s)

PROCEDURE



A. Lecture--Reviewing and Updating the Title IX Self-Evaluation (5 minutes)

The purpose of this activity is to provide participants with a structure for reviewing the content, process and follow-up of the self-evaluation conducted in their district. The examination of the self-evaluation is provided as a means of assisting participants to evaluate the adequacy of self-evaluation procedures and to identify possible needs for reassessment or updating of the self-evaluation.

Suggested Lecture:

"The requirement of the Title IX regulation that all covered agencies must complete a self-evaluation to identify possible discrimination was based on the realization that many of the forms of sex discrimination are not within our conscious awareness. The primary purpose of the self-evaluation was to ensure that a systematic effort be made to review policies, programs and practices which may be discriminatory on the basis of sex.

"After agencies had made the assessment of possible forms of sex discrimination, the self-evaluation required that the agency make a determination of the corrective and remedial steps which were needed to eliminate any discrimination or the effects of past discrimination. The regulation further required that the agency must keep on file records which would document any corrective or remedial steps which were taken.

"The initial self-evaluation was to have been completed by July 21, 1976. At the time that many of us were involved in the self-evaluation procedures, our knowledge of the regulation and the procedures for reviewing policies, programs and practices for sex discrimination probably was not as extensive as it is today. In view of our experiences since the first self-evaluation, it is advisable that we review and evaluate the scope, process and general adequacy of the self-evaluation and identify those steps which may need to be taken to strengthen the evaluation or to update the findings of the self-evaluation.



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"Please turn to Participant Worksheet 4 entitled 'Evaluating Your Title IX Self-Evaluation'. You'll note that the worksheet consists of six sections. The first section is designed to provide information regarding your knowledge of the self-evaluation; the next three sections examine the content, the process and the follow-up and monitoring of the self-evaluation; and the last two sections ask you to make an assessment of the strengths of the self-evaluation and the improvements that are needed to ensure the adequacy of the self-evaluation procedure.

"Would you please take a few minutes to read through the questions that are included in the worksheet. After you've had an opportunity to review the material, we'll be discussing the worksheet as a total group."



B. Individual Activity--Evaluating Your Title IX Self-Evaluation (10 minutes)

The facilitator should allow participants about 10 minutes to review the questions provided on Worksheet 4. After most of the group appears to have reviewed the worksheet, the facilitator should discuss their impressions of the worksheet in the total group.



C. Large Group Discussion (5 minutes)

The primary purpose of the review of the worksheet is to provide participants with a structure for evaluating their Title IX self-evaluations. It is probable that many participants do not have adequate information to answer all of the questions provided, but it is important that participants are knowledgeable about the questions which should be considered in the evaluation.

When the facilitator is reasonably certain that participants have had an opportunity to read through the questions, she/he should reconvene the group and discuss their reactions to the questions which are included. Questions which may be used for this purpose include:

As you glanced through the areas covered in Worksheet 4, how would you describe the self-evaluation which was implemented in your district?

What would you estimate are the strengths of your district's self-evaluation?

What types of things do you believe need to be reassessed or updated at this point in time?

How could you use the worksheet as a guide for ensuring the adequacy of the self-evaluation?



EVALUATING YOUR TITLE IX SELF-EVALUATION



By July 21, 1976, education agencies and institutions receiving Federal funds were required to:

Evaluate their policies, programs and practices for their compliance with Title IX regulation requirements

Modify them as necessary to ensure compliance

Take steps to remedy the effects of any discrimination resulting from identified noncompliance



This process has usually been referred to as institutional self-evaluation.

An effective self-evaluation can provide data and establish procedures which are useful foundations for continuing Title IX implementation and monitoring efforts. This worksheet is designed to help you evaluate your self-evaluation to assess its usefulness as a base for continuing efforts or to identify ways in which you might improve it at this time. The worksheet is organized within six sections:

Your Knowledge of the Self-Evaluation

Your Self-Evaluation--The Content

Your Self-Evaluation--The Process

Your Self-Evaluation--Follow-Up and Monitoring

Your Self-Evaluation--Its Strengths

Your Self-Evaluation--Making Improvements

If you are not sure of the answer to any question, place a "?" in the right hand margin.

(Note: The Title IX regulation establishes no particular requirements or standards for the self-evaluation other than that it should include the three components listed above. The questions in this worksheet are based on general principles of evaluation, rather than on legal guidelines.)

Your Knowledge of the Self-Evaluation

1. To the best of your knowledge, has your district completed a self-evaluation to identify and correct any sources of possible noncompliance with the requirements of the Title IX regulation?

Yes _____ No _____

2. Have you seen a copy of the self-evaluation or of the description of modifications and remedial steps taken as a result of the self-evaluation process?

Yes _____ No _____

3. Were you involved in the self-evaluation in any way?

Yes _____ No _____

If yes, did you:

Design/assist in designing the evaluation _____

Provide information? _____

Evaluate/assist in identifying modifications or remedial steps? _____

4. How would you describe the general quality of the self-evaluation? (Consider its comprehensiveness; the accuracy of its evaluation criteria; the accuracy of the data supplied, etc.)

5. Was participating in/reviewing the self-evaluation a useful experience to you?

Yes _____ No _____

Why or why not?

Your Self-Evaluation--The Content

1. Does your self-evaluation specifically cover:

	<u>Yes</u>	<u>No</u>
Student access to courses:		
Course admissions requirements?	_____	_____
Graduation requirements?	_____	_____
Disproportionate course enrollments?	_____	_____
Vocational education?	_____	_____
Physical education?	_____	_____
Counseling:		
Programs?	_____	_____
Materials?	_____	_____
Tests and instruments?	_____	_____
Student treatment:		
Behavior and dress code?	_____	_____
Extracurricular activities?	_____	_____
Employment assistance?	_____	_____
Health services/insurance benefits?	_____	_____
Policies, programs and practices related to student marital or parental status?	_____	_____
Athletics and competitive sports:		
Student activities and programs?	_____	_____
Personnel practices?	_____	_____
Financial assistance to students?	_____	_____
Employment policies and practices related to:		

	<u>Yes</u>	<u>No</u>
Recruitment/selection?	_____	_____
Promotion, tenure, layoff, application of nepotism policies?	_____	_____
Rates of pay; extra duty compensation?	_____	_____
Job assignments and classification?	_____	_____
Fringe benefits?	_____	_____
Leaves of absence, including childrearing leave?	_____	_____
Terms of collective bargaining agreements?	_____	_____
Certified staff (by specific position)?	_____	_____
Classified staff (by specific position)?	_____	_____
2. Does your self-evaluation clearly specify the documents, publications, etc., which were examined during the review process, and does it indicate the criteria used in examining each?	_____	_____
3. Does your self-evaluation include objective data to support its conclusions, e.g.:		
List of course enrollments by sex?	_____	_____
Description of athletic programs by sex?	_____	_____
Surveys of student athletic interests?	_____	_____
Analysis of disciplinary actions by sex over a specified period of time?	_____	_____
Listing of tests and counseling instruments used, with information on male/female norms, scales, etc.?	_____	_____

	<u>Yes</u>	<u>No</u>
Other (please list)	_____	_____

4. Does your self-evaluation clearly specify actions taken/to be taken when possible noncompliance is identified:

Corrective actions?	_____	_____
Remedial steps?	_____	_____

Your Self-Evaluation--The Process

1. Are the procedures and criteria used in the self-evaluation clearly specified?

_____	_____
-------	-------

2. Are the persons involved in the design of the self-evaluation clearly specified?

_____	_____
-------	-------

Did they include:

Staff with responsibilities in each of the areas evaluated?

_____	_____
-------	-------

Students?

_____	_____
-------	-------

Community members?

_____	_____
-------	-------

Persons with expertise on Title IX?

_____	_____
-------	-------

3. Are the persons from whom information was requested clearly specified?

_____	_____
-------	-------

	<u>Yes</u>	<u>No</u>
Did they include:		
Persons with diverse responsibilities and levels of responsibility in each of the areas evaluated?	_____	_____
Administrators?	_____	_____
Instructional/counseling staff?	_____	_____
Classified staff?	_____	_____
Persons representing the various schools in the district?	_____	_____
Students?	_____	_____
Community members?	_____	_____
Persons with expertise on Title IX?	_____	_____

4. Are the persons responsible for analyzing the information clearly specified?

Did they include:

Persons with diverse responsibilities and levels of responsibility in each of the areas evaluated?

Administrators?
Instructional/counseling staff?
Classified staff?

Students?

Community members?

	<u>Yes</u>	<u>No</u>
Persons with expertise on Title IX?	_____	_____
5. Were all concerned persons in the district notified of the self-evaluation and invited to submit any information they considered relevant?	_____	_____

Your Self-Evaluation--Follow-Up and Monitoring

1. When corrective or remedial steps were required were timeliness and staff responsibilities for their implementation clearly specified?	_____	_____
Were staff responsibilities for monitoring of these steps clearly specified?	_____	_____
Have all specified steps been implemented according to the appropriate timeliness?	_____	_____
2. Are periodic updates of the self-evaluation planned or conducted?	_____	_____
3. Is your self-evaluation or a record of modifications and remedial steps available for review and comment by interested persons?	_____	_____

Your Self-Evaluation--Its Strengths

1. Based on your answers so far, what do you see as the strengths of your self-evaluation in facilitating Title IX compliance in your district?

Strengths related to content:

Strengths related to process:

Strengths related to follow-up and monitoring:

2. Based on your experience, what suggestions/assistance would you have for other school districts interested in improving their Title IX self-evaluation?

Your Self-Evaluation--Making Improvements

1. Based on your answers so far, do you see any ways of improving your self-evaluation to increase its usefulness in your district?

Improvements in content:

Improvements in process:

Improvements in follow-up and monitoring:

2. Is there any further information which would be helpful to you in considering or improving your self-evaluation?

ACTIVITY

6

SUBMISSION OF COMPLIANCE ASSURANCE FORMS



Activity Agenda:

- A. Comments--The Compliance Assurance Forms Requirement (10 minutes)
- B. Summary (5 minutes)

Purposes of the Activity:

To provide participants with a reminder of the Title IX requirement for the submission of compliance assurance forms

To summarize the preceding activities

Materials Needed:

For participant use:
None

For facilitator use:
None

Facilitator Preparation Required:

Thoroughly review this total session outline and all participant materials

Read suggested comments and adapt them to fit unique group needs and facilitator(s) style(s)

PROCEDURE



A. Comments: The Compliance Assurance Forms Requirement (10 minutes)

The purpose of these comments is to provide participants with information regarding the fifth procedural requirement of the Title IX regulation--the submission of compliance assurance forms. This purpose may be fulfilled with comments such as the following:

"All education agencies and institutions receiving Federal funds are required to submit assurances of Title IX compliance to the Office for Civil Rights as a condition of eligibility for Federal funds. Form 639 was developed for this purpose and copies were mailed to all recipients of Federal funds. The initial deadline for submission of the form was September 30, 1976; a second deadline was established for March 1977, and the Office for Civil Rights is reviewing those agencies who have not submitted assurances.

"A report of the compliance assurance forms dated February 15, 1977 indicated that nearly half of the institutions and agencies which had submitted the forms were in noncompliance with the Title IX regulation. Most of the institutions and agencies had not established grievance procedures or completed the institutional self-evaluation.

"Education agencies should take steps to ensure that they are in compliance with the Title IX regulation and submit the necessary compliance forms. Such action is likely to:

Protect the agency from possible compliance reviews by the Office for Civil Rights

Ensure the eligibility of the agency as a recipient of Federal funds."



The facilitator should allow time for any questions which participants may wish to raise.

B. Summary (5 minutes)

The purpose of the summary comments is to provide participants with a sense of closure on the procedural require-

ments of the regulation and to set the stage for the activities which are to follow. This may be implemented by providing comments such as the following:

"The previous activities have focused on an indepth review of the five procedural requirements of the Title IX regulation and the ways they might be implemented in local education agencies. These procedural requirements provide the structure for continuing Title IX implementation and are essential to effective implementation of the regulation.

"Each of these procedures is designed to meet a necessary facet of Title IX implementation and each provides a needed management tool for the administration of programs which can result in the delivery of equitable services for all students. In addition, they provide the methods by which systemic change is possible. If Title IX is to have meaning beyond the efforts of individuals, it will require the efforts of persons such as you to ensure that the intent and principles of Title IX are solidly incorporated in the structure of the administrative procedures and practices.

"During the activities to follow we will turn to the day-to-day problems of monitoring Title IX implementation and work to solve the problems which arise daily. These activities provide you an opportunity to test your understandings of the implementation of Title IX in the daily operation of a school district."

ACTIVITY**7****ESTABLISHING A
FRAMEWORK FOR
MONITORING TITLE IX****Activity Agenda:**

- A. Introductory Comments--The Monitoring Process (5 minutes)
- B. Individual Activity--Improving Monitoring and Problem Solving Skills (5 minutes)
- C. Small Group Discussions (10 minutes)
- D. Large Group Discussion (10 minutes)

Purposes of the Activity:

To provide a framework for understanding the Title IX monitoring process

To examine and evaluate the ways we monitor activities related to Title IX implementation

Materials Needed:**For participant use:**

Improving My Skills in Monitoring and Problem Solving
--Participant Worksheet 5

For facilitator use:

None

Facilitator Preparation Required:

Thoroughly review the total session outline and all participant materials

Review suggested comments and adapt them to accommodate unique group needs and facilitator(s) style(s)

PROCEDURE



A. Introductory Comments--The Monitoring Process (5 minutes)

The purpose of this first activity is to provide a framework for understanding the monitoring process by defining its components and providing a method of examining the participants' own experiences with the monitoring process.

Suggested Introductory Comments:

"A unique characteristic of the Title IX regulation is its specification of the first procedural steps which must be taken to achieve compliance. During the preceding activities we've seen how the procedural requirements of the Title IX regulation provide a structure for initial compliance activities and lay the foundation for continuing implementation and action steps.

"The next steps for compliance will vary according to local situations and circumstances and they cannot be prescribed for all districts. These next steps may only be determined by the implementation of monitoring efforts which provide us with a method for identifying both isolated compliance problems, and the more general or systemic needs which are suggested by the recurrence of various problems.

"Monitoring is the process we use for assessing the degree to which we are achieving our goals and for identifying those activities which can further our progress. Monitoring is particularly important as we enter into new efforts such as achieving Title IX compliance, because it helps us to identify the changes we've accomplished and the positive outcomes of our efforts as well as to identify individual problems and the general areas where systematic attention is needed.

"Monitoring consists of three primary activities:

Collection of data or information

The first step in any monitoring effort is to develop methods of collecting information as to what is going on or what is happening. Information is collected



through formal methods such as surveys or reports, or more informal methods such as talking to others, observing how things operate or observing the reactions of others.

Analysis of information or data collected

After information or data has been collected, it is essential that we examine the information and determine what it really means. For example, we can look at a report of the Title IX grievances filed and have a fairly good idea as to whether or not the grievance procedure is being used. If, however, we wish to understand the problems involved in these grievances, it will be necessary to analyze the types of grievances, the sources of grievances, the ways the grievances are being processed and resolved, etc.

Similarly, if we wish to determine the accuracy of teacher or student perceptions of possible sex discrimination, we will have to examine information collected from persons representing a variety of perspectives and determine the meaning of these varying perspectives.

The purpose of any analysis activity is to determine the meaning of the information collected and its implications for future actions.

Identifying action alternatives and priorities

The last, and most important activity in the monitoring process is identifying the action alternatives and priorities which are appropriate to the issues identified. As we review the information collected we develop some ideas as to:

Progress which has been made in specific areas of concern

Particular problems which emerge or continue

Strategies for consolidating, increasing and/or rewarding the progress which has been made



Strategies for dealing with problems which have been identified

Areas in which further collection or analysis of information is desirable

If the information we collect indicates that only one or a few persons are involved in an issue, we then develop individual problem solving strategies for dealing with them.

If the information suggests that the problem or situation is a general problem involving a substantial number of employees or students, program efforts or systematic activities should be undertaken for dealing with the problem.

"It is important to understand that monitoring is a responsibility of all persons involved in schools even though the types of monitoring may vary. Each of the groups involved in this session has responsibility for a different level of monitoring activity:

Board members have responsibility not only for establishing district policies of nondiscrimination but also for monitoring to ensure that these policies are integrated into the programs and practices of the schools.

Administrators have responsibility not only for the communication of district policy but also for the development of programs and actions which can realize the intent of nondiscriminatory policies.

Title IX coordinators have responsibility not only for assisting with the clarification of policies and procedures but also for the day-to-day monitoring necessary to provide active assurance that nondiscrimination is being observed throughout all programs and activities.

"These monitoring responsibilities necessitate that each of us becomes more aware of our monitoring functions and how we may carry them out in a deliberate and effective fashion. The first thing we wish to examine in this session is how we normally carry out monitoring activities

and how we can become more thorough and systematic in our monitoring activities."



B. Individual Activity--Improving Monitoring and Problem Solving Skills (5 minutes)

The facilitator should refer participants to Worksheet 5, entitled, "Improving My Skills in Monitoring and Problem Solving," and ask participants to take about 5 minutes to complete the worksheet, explaining that it is designed to assist them in:



Page 3

Thinking about the methods they generally use for collecting, analyzing and acting on information regarding Title IX implementation/compliance

Identifying those areas where skills may be expanded

Considering the ways that might increase their effectiveness in each element of the monitoring process



C. Small Group Discussions (10 minutes)

After participants have had approximately 5 minutes to complete their worksheets individually, the facilitator should ask them to form groups of six to discuss their responses. (Suggest that they meet with persons from districts other than their own.)

Participants should be asked to consider the following questions as they discuss their worksheets:

How similar or different are the styles of group members for collecting data, analyzing its implications and determining action steps?

How can the effectiveness of Title IX equity monitoring be increased?

Explain to participants that they will have approximately 10 minutes for their discussions.



D. Large Group Discussion (10 minutes)

After participants have had approximately 10 minutes for the small group discussions, the facilitator should initiate a discussion with the total group.

The facilitator(s) should open the discussion by asking participants to share some of their answers to the questions regarding Title IX monitoring--the data they use and how they obtain it; the ways they analyze it; and the ways they determine the action steps to be taken. The facilitator should take each question in turn and ask for sharing of responses. When several participants have shared responses to each of these questions, the facilitator should then ask whether the methods and procedures used for Title IX monitoring have any unique aspects or whether they are all the same as those utilized in monitoring other school program areas.

In the group discussion, two things may emerge:

Participants may have a difficult time responding to the questions; they have a difficult time describing monitoring in any systematic fashion and they do not relate the monitoring of Title IX to all administrative monitoring activities.

Participants may not consider the five compliance procedures discussed in the earlier activities in relation to their significance for continuing Title IX monitoring efforts.

After a brief sharing of participant responses, the facilitator should then pose the question:

"How do the five compliance procedures discussed in the earlier activities relate to continued monitoring of Title IX implementation efforts?"

The key point that should be made in the subsequent discussion is that effective implementation of the five compliance procedures is of major significance in the implementation of effective Title IX monitoring efforts. In leading this discussion, the facilitator should take care to point out that taken together, the five procedures, if effectively implemented:

Maximize the number of persons involved in the monitoring effort

Specify the kinds of information or data which are to be collected

Specify procedures for the submission of data or information on a continuing basis

Delineate criteria against which information is to be analyzed

Specify a person responsible for the coordination of monitoring efforts

These points will be expanded in the following lecture.



IMPROVING MY SKILLS IN MONITORING AND PROBLEM SOLVING



Two conditions which are essential for Title IX implementation are the maintenance of effective monitoring systems and the capability for effective problem solving. The following worksheet is designed to assist you in evaluating your skills in Title IX related to monitoring and problem solving. Please read through each of the questions and answer them in terms of your appraisal of your skills.

Data Collection



To what degree do you systematically collect information related to sex discrimination and sex bias and to what degree are the procedures/programs being used for Title IX implementation and the attainment of sex equity?

Do you collect data from an adequate number of sources?

1 2 3 4 5
Seldom Sometimes Frequently



Do you collect data from sources representing varying points of view?

1 2 3 4 5
Seldom Sometimes Frequently

Do you identify data needs and make deliberate efforts to collect information?

1 2 3 4 5
Seldom Sometimes Frequently

Do you collect data on a continuing or periodic basis?

1 2 3 4 5
Seldom Sometimes Frequently

Data Analysis

Do you systematically make an effort to analyze information according to specified criteria and/or request such services from others?

Do you establish a framework of goals and objectives for evaluating information?

1	2	3	4	5
Seldom		Sometimes		Frequently

Do you request/review others (staff, governance, etc.) to collect and/or analyze information related to Title IX implementation or related issues?

1	2	3	4	5
Seldom		Sometimes		Frequently

Do you develop personal analysis of data and identify needs which should be treated?

1	2	3	4	5
Seldom		Sometimes		Frequently

Identification of action alternatives

Do you systematically identify action alternatives and select them to fit the requirements of the situation?

Do you consider the full range of action alternatives that could be taken?

1	2	3	4	5
Seldom		Sometimes		Frequently

Do you analyze the unique requirements of the situation?

1	2	3	4	5
Seldom		Sometimes		Frequently

Do you consider the combination of actions which need to be taken?

1 2 3 4 5
Seldom Sometimes Frequently

Knowledge of the Regulation

To what degree do you have a working knowledge of the Title IX regulation and its application to educational policies, programs and practices?

1 2 3 4 5
Seldom Sometimes Frequently

Ability to Identify Information Needs

To what degree are you able to review problems and determine the information needed for effective problem solving?

1 2 3 4 5
Seldom Sometimes Frequently

Identification of Action Alternatives

To what degree are you able to identify appropriate action alternatives which may be taken to solve Title IX-related problems?

1 2 3 4 5
Seldom Sometimes Frequently

Ability to Select Effective Solutions

To what degree are you able to select appropriate courses of actions and make decisions which are appropriate for the requirements of the situation?

1 2 3 4 5
Seldom Sometimes Frequently

Action Steps

After reviewing your skills in monitoring Title IX-related activities and dealing with day-to-day problems, what are:

Your major strengths?

Your major weaknesses?

Steps to take?

ACTIVITY

8

STRATEGIES FOR MONITORING TITLE IX IMPLEMENTATION



Activity Agenda:

- A. Lecture--Increasing the Effectiveness of Title IX Implementation (15 minutes)
- B. Questions and Answers (10 minutes)

Purposes of the Activity:

To expand participants' understanding of how to improve the effectiveness of the Title IX monitoring process

To provide a series of action alternatives which may support Title IX implementation and the attainment of sex equity

Materials Needed:

For participant use:
None

For facilitator use:
None

Facilitator Preparation Required:

Thoroughly review the total session outline

Review suggested lecture and adapt it to accommodate unique group needs or facilitator(s) style(s)

PROCEDURE



A. Lecture--Increasing the Effectiveness of Title IX Implementation (15 minutes)

The lecture is designed to extend participants' understanding of the monitoring process. It covers two subjects--the significance of monitoring for Title IX implementation and the ways that we can increase the effectiveness of monitoring activities.

Suggested Lecture:

"During the last activity we identified the three primary tasks of monitoring--data collection, data analysis, and identification of action steps--and the structures that are provided by the procedural requirements of the Title IX regulation which facilitate these activities. Far too often, however, we tend to treat the procedural requirements as isolated activities which are carried out for compliance purposes and fail to see how they must be incorporated into the ongoing structure and management of district activities.

"The Title IX regulation and the five procedural requirements establish a structure for monitoring activities by:

Maximizing the number of persons involved in the data collection process--Two of the procedural requirements of the Title IX regulation open the monitoring process to a number of groups. The requirements of policy notification to students, parents, and employees and the establishment of a grievance procedure operate to maximize the number of persons potentially involved in the monitoring effort.

Specifying the types of data or information to be collected--The areas covered by the Title IX regulation and reviewed during the institutional self-evaluation provide an outline for continuing data collection.

Specifying the procedures for the submission of data or information on a continuing basis--Maintenance of a grievance procedure for the resolution of student and employee complaints provides a mechanism whereby any student or employee may submit information



regarding Title IX implementation problems at any time.

Specifying the criteria against which the data or information is to be analyzed--The provisions of the Title IX regulation establish the basic criteria against which data analysis for compliance may be compared.

Specifying a person responsible for coordination of monitoring efforts--The requirement that a Title IX coordinator be designated is directed toward ensuring that responsibilities for ongoing monitoring of compliance (or for coordination of monitoring efforts) are designed.

"If the procedural requirements of the Title IX regulation are implemented effectively, they will provide a structure for ongoing monitoring activities. Often we attempt to monitor programs on a crisis-by-crisis basis. Although this type of monitoring responds to the immediate problems, it is unlikely that such efforts will lead to lasting change and the attainment of educational equity."

Increasing the effectiveness of monitoring activities

"Each activity involved in the monitoring process requires ongoing attention and different competencies and skills for its effective performance. Let's examine each of these activities in terms of the skills required and the ways that we can increase our effectiveness in carrying out these monitoring activities.

"The first activity, data collection, is an essential component of all management and administrative efforts. Effective data collection is likely to result when data is collected from a variety of sources and there is effort to specify and extend the sources of information.

"In thinking about your data collection activities it is useful to consider four questions for evaluating the adequacy of data collection efforts.

Do you collect data from an adequate number of sources?



Do the sources of your data collection represent varying points of view?

Do you identify specific data needs and systematically attempt to collect the data?

Do you collect data on a continuing or periodic basis?

"The importance of making an effort to collect data from a variety of sources is emphasized when we consider that most of us tend to organize our lives around a routine. We usually see the same people regularly, interact with them and rely on them for information. Although this provides stability, it tends to limit the types of data we receive.

"An administrator who does not make an effort to get out of an isolated office is unlikely to have an understanding of the problems of others or the frame of reference of others. It is important that those who have responsibility for monitoring activities, particularly in new areas such as Title IX compliance, make a deliberate effort to collect information from persons who represent a variety of different perspectives.

"It should be emphasized that data collection should be as specific and focused as possible. If we are not clear about the types of information that we are seeking, we may not collect the relevant information. For example, an administrator may ask building personnel for a report on Title IX implementation. The responses obtained are likely to be general and, for this reason, provide only limited information. If, however, the request for a report lists specific types of information desired (e.g., the number of grievances filed in the school, the attitudes and reactions of staff, communications with staff and parents, etc.), there is greater likelihood that relevant information will be obtained.

"The second activity, data analysis, is crucial to the monitoring process. Questions which should be considered to determine the effectiveness of data analysis procedures are:



Do you usually establish a framework and criteria for the analysis of data?

Do you make specific assignments of staff for the analysis of data?

Have you established procedures for the regular communication of data analysis?

"The analysis of data is crucial to the Title IX monitoring process. Each of us develops methods of analyzing data to determine the meaning of the data. Frequently, our capability to analyze data is limited by the fact that we have not specified the criteria to be used in the analysis of information. For example, we may receive a report of the numbers of Title IX grievances which have been filed in the district, but unless the information is analyzed according to types of grievances, sources of grievances, distribution by school of grievances filed, etc., the information will be of little practical benefit.

"An effective Title IX Coordinator should ensure that regular data analysis is undertaken in those areas related to Title IX implementation activities, e.g., grievances, progress of remedial steps, special programs, etc. If the Title IX Coordinator is to carry out these data analysis functions, it is essential that adequate time be provided the person and that assistance and training be provided when necessary.

"Once data has been analyzed, it must be communicated to others who need or can use the data. For example, it is important that board members, administrators and interested community groups obtain copies of relevant reports and data analysis.

"The third activity in monitoring is the identification of action steps. This is the critical outcome of all monitoring activities. It is on the basis of the understandings that we can develop through the collection and analysis of data that we can identify appropriate action steps which may be taken.

"Questions which should be asked while identifying action alternatives are:



Have we considered the full range of actions which could be taken?

What are the unique requirements of the situation which would determine the best selection of action strategies?

What combination of actions should be considered?

"Change is likely to result when a number of pressures or forces may be brought to bear on a specific problem. These forces may be such things as the addition of new information, clarification of the intent of policies, support programs, etc. Our effectiveness increases as we are able to identify multiple actions which may be taken and 'match' them to the specific problems identified.

"In addition, it is important that efforts be made to relate individual experiences or problems and organizational needs. For example, if we find a single instance of a staff member attempting to discourage males and females from enrolling in vocational education classes which are nontraditional for their sex, the problem should be dealt with on an individual basis. If, on the other hand, we find that such discouragement of student enrollment is a general pattern of counseling and instructional staff, an organizational action or program such as staff training is suggested.

"Knowledge of the types of organizational actions that may be taken is essential for change. Some of the organizational actions or programs which are available as methods of increasing educational equity are:

Policy development/clarification/communication

The written policy of a district establishes the guidelines on 'rules' which are to be followed in carrying out educational programs and activities. Most organizations or districts operate on the basis of formal policies--those things which are written down as policies--and informal policies--the unwritten norms and assumptions.



A primary advantage of the formal policies is that they are available to everyone and may be used as a concrete statement of institutional goals and rules. A major problem of informal policies is that they may not be communicated to all persons, and may thus result in inconsistent behaviors.

One of the most obvious actions which can be taken with respect to Title IX-related matters is the development/clarification/communication of policies. A policy may need to be expressed in a variety of levels of specificity. For example, the Title IX procedural requirement calls only for the development of a general policy statement of nondiscrimination. If this is to have meaning for the actual operation of educational programs, however, it is usually necessary that policy guidelines or clarifications be developed to specify the meaning of the policy. These policy or policy guidelines serve as the criteria against which Title IX-related matters may be considered.

Common Title IX policy-related problems result not only from the lack of sufficient policy clarification but also from the lack of policy updating for consistency. For example, although districts have enacted general policies of nondiscrimination, many have not used these as a basis for reviewing other policies (e.g., health and insurance service contracts, collective bargaining agreements, student discipline and curriculum policies, etc.). Such a review is necessary if equity is to be achieved.

Policy development/clarification/communication may be appropriate as an action step when:

- A new program or effort is being launched

- Problem behaviors within the system seem to be generalized and random

- New problems or perspectives have been identified which need to be clarified and communicated to others

- A decision has been made regarding a controversial issue

- An inconsistency in policies or practices is identified



Study or investigation

The importance of systematic data collection and identification of corrective and remedial actions is recognized in the Title IX regulation by its requirement for an institutional self-evaluation. The use of studies or investigations is an important method of designing action steps. Evaluations/studies must be conducted periodically as a means of identifying remaining problems and progress. A re-evaluation or updating of the institutional self-evaluation would be one method of assessing progress and identifying remaining problems.

Studies and investigations should be used when:

- A new and relatively unknown problem is identified

- It is important to establish a baseline as to the pervasiveness of a problem

- The goal is to measure progress or change

Staff training

Ensuring that all staff have both an understanding of the intent and the implications of the policy and the skills for incorporating such a policy into school programs is a continuing task. Just as any new effort requires extending our knowledge, all staff need skill training in the ways that discrimination and bias may be manifest in their specific roles. Staff training provides a primary method for meeting this need.

Staff training should be used when:

- A new program is being implemented

- There is evidence of generalized problems or lack of understanding throughout the district

- Training would contribute to the ongoing professional development of staff



It is important to note that staff training programs related to Title IX should provide for cumulative, sequential development of staff. As training within an area progresses, it should move from the awareness level to increasingly specific and skills-based levels.

Community involvement

Another action step that is available for achieving sex equity and for Title IX implementation/monitoring is an ongoing program of community outreach and involvement. This need was recognized in the Title IX regulation through the required nondiscrimination policy notification of elementary and secondary school parents.

Continued community involvement is not only a means of enhancing Title IX implementation but also an essential component of good school administration. The primary goal of such involvement should be the assessment of community needs relevant to school programs and the communication of the intent and implications of school policies and programs to community members.

Community involvement efforts should be used when:

- A new problem is being identified

- New programs are being implemented

- There is need for periodic reporting of progress to the community

- There are groups who have particular interests and can provide support for specific programs

Program modification/development

Achievement of Title IX compliance or of sex equity may, in some cases, require the modification of existing programs or the development of new programs.



For example, many institutions are required to undertake substantial modifications of their athletics' programs in order to provide equal athletic opportunities for females and males. In some institutions, the disparity between opportunities has been so great in the past as to require the development of an entirely new women's athletic program in order to provide equity.

These athletics' examples are examples of the use of program modification/development as a corrective step taken to ensure Title IX compliance--it corrects illegal discrimination in policy and programs. Program modification/development may also be taken as remedial action under Title IX--action which is taken to remedy the effects of past discrimination. Examples of program development for this purpose might involve implementation of a vocational education awareness program designed to expose all students to those course options which were previously restricted to students of one sex; or of an administrative internship/placement program for females who have been discouraged from applying for administrative positions in the past.

Program development may also be utilized to increase sex equity in areas not covered by Title IX requirements. For example, programs might be developed to combat bias in instructional materials, bias which is a significant barrier to equity. Such programs might range from a single training session to prepare teachers, librarians and counselors to recognize and combat bias in their daily activities, to multiple, coordinated activities such as developing criteria content analyses of existing books, and developing supplementary curriculum materials and activities.

Special programs should be developed when:

- A pervasive problem has been identified

- Multiple activities are needed to achieve identified objectives

- A long-term effort involving several individuals or departments is required



Budget allocations

Implementation of efforts to achieve Title IX compliance and sex equity may, in some instances, require budget allocations or reallocation of existing funds. In most situations there will be competition for scarce resources and difficult decisions must be made. Such decisions should be made in such a way as to ensure the equitable allocation of resources among the various needs of students and staff and the support of programs and activities required to provide equal opportunity.

Budget allocations are needed when:

- Necessary actions cannot be integrated within existing area or program budgets

- There is need to assess the impact of funds expended for specific programs

Disciplinary actions

It is recognized that there are instances when it may be necessary to reprimand or discipline personnel who have deliberately obstructed Title IX implementation. This disciplining may vary from reprimands or mandating specific actions to withholding various rewards.

Disciplinary actions should be taken when:

- There is clear evidence that there was deliberate obstruction of Title IX-related efforts

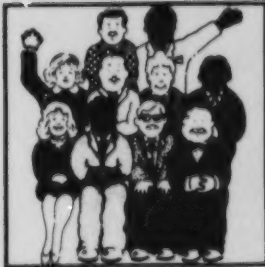
- There is clear evidence that actions reflect consistent patterns of behavior

- There is evidence that the rights of another were knowingly violated

"These organization actions are some of the strategies that administrative and governance personnel have available as methods of Title IX implementation. Knowledge of and consideration of the range of alternative strategies

increases the available options for decision making. These actions or strategies represent a pool from which appropriate actions may be selected during the action phase of the monitoring process.

"The desired outcome of monitoring efforts is to identify those actions which are needed to increase the effectiveness of our efforts and the attainment of our goals. Each phase of the monitoring process should contribute to these outcomes."



B. Questions and Answers (10 minutes)

The facilitator should provide opportunity for comments and/or questions and answers before moving on to the next activity. Points which should be emphasized during the response to the questions include:

Monitoring Title IX implementation should be integrated with efforts to monitor the total educational program.

The success of many implementation/change efforts is dependent on the appropriate "matching" of action alternatives to the requirements of the situation.

The likelihood of success is increased when multiple actions are initiated which are targeted to the same or complimentary goals.

ACTIVITY**9****TITLE IX DECISION
MAKING IN FERNWOOD
SCHOOLS****Activity Agenda:**

- A. Individual and Group Activity--Title IX Decision Making in Fernwood Schools (45 minutes)
- B. Large Group Discussion (25 minutes)

Purposes of the Activity:

To provide participants with an opportunity to evaluate their understanding of Title IX and their skills in problem solving

To help participants extend their skills in identifying action alternatives

Materials Needed:**For participant use:**

Title IX Decision Making in Fernwood Schools--Participant Worksheets 6-13

Title IX Decision Making in Fernwood Schools: Group Consensus Sheet (for each group of six participants)--Participant Worksheet 14

Title IX Decision Making: Suggested Answers (Appendix B - Appendix H)

For facilitator use:

None

Facilitator Preparation Required:

Thoroughly review the total session outline and all participant materials

PROCEDURE



A. Individual and Group Activity--Title IX Decision Making in Fernwood Schools (45 minutes)

The purpose of the activity is to provide participants with an opportunity to evaluate and extend their understandings and skills in dealing with day-to-day Title IX implementation problems. In this exercise participants are to test their abilities, to analyze data and to specify alternative action steps, as required in the last two stages of monitoring.



In this exercise participants are asked to review Superintendent Norris's in-basket which contains eight memos and letters dealing with Title IX-related issues.* Participants are asked to work in teams of six. Each participant will be asked to read the letters and memos and to join a discussion team to complete the worksheets.

At the close of the exercise, the teams' responses to the worksheets will be discussed in the total group.

The exercise may be introduced with comments such as the following:

"During this activity you will have an opportunity to share the experiences of Superintendent Norris as the Fernwood District Schools work to implement Title IX. During this exercise you will be testing your monitoring skills; you will be asked to analyze data and to identify alternative action steps.

"You will be asked to read eight items from the in-basket of Superintendent Norris's desk. Assume that you are Superintendent Norris and respond to the memos and letters in the Superintendent's in-basket accordingly.

*Facilitators should note that Superintendent Norris is assigned no gender and should note that to participants if discussion references are made to "him" during the activity.



**Pages
40-53**

"Please form groups of six persons. Each group should find Worksheets 6-13 in the Participant Workbooks. First, spend a few minutes individually reading the in-basket materials and responding to the questions on the worksheets which are provided.



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"When you've finished responding to the worksheets individually, discuss your responses in your small groups. Each group will be asked to come to a consensus for each item in the in-basket and to record that consensus on Worksheet 14. You may find it useful to recall points made in previous workshop sessions as you discuss the questions on the worksheets."

Group facilitators should remain in the room and be available to answer questions, encourage participants and supply any missing or needed materials.



B. Large Group Discussion (25 minutes)

After the small groups of six have discussed their reactions and completed a group worksheet for each problem, they should be convened as a total group. The facilitator should then process at least one memo or letter by asking the group about the kinds of responses they developed. If time permits, other memos or letters could be discussed.



**Pages
71-78**

After discussion, participants should be referred to Appendices B-H in their Workbooks for copies of the worksheet responses. The facilitator should make the point that participants may wish to compare their responses with those on the response sheets as a means of adding other possible action steps. The worksheet responses are not exhaustive and are meant only to stimulate thinking rather than provide the "right" answers.

The facilitator may wish to help the group consider patterns in their monitoring activities. Questions such as the following may be used.

Which problems seemed the easiest to deal with?

Which problems seemed most difficult to deal with?

Are there other problems which have come to your attention that concern you?

Are there other alternatives which you have identified and found to be effective?

The exercises may be summarized by making the following points:

Effective monitoring requires continuous efforts for skills development.

The first requirement for effective monitoring is to have a working knowledge of the Title IX regulation.

A requirement for Title IX implementation is that continuing monitoring activities are maintained.

Although the content (e.g., specific information) needed for monitoring education equity is unique, the process of monitoring may be applied to any educational concerns.



IT'S UP TO YOU -- TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS

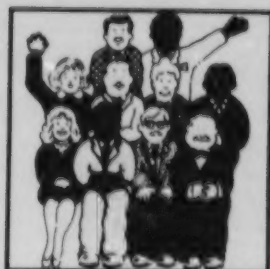


Dr. Pat Norris, superintendent of Fernwood schools, has had six years of experience in Fernwood and is known as a fair, effective administrator. Dr. Norris is committed to improving Fernwood schools and has been particularly interested in continuing staff development for all district employees.



During the past five years several members of the administrative staff have observed the passage of Title IX, and the development of the regulation; and they have taken a variety of actions to implement Title IX. They are pleased with the progress that has been made toward Title IX compliance, but are also concerned about the problems which are still evident.

A collection of the memos and letters relating to Title IX which have come to Dr. Norris' desk during the past six months is provided in the following pages. Read each of them carefully, then determine the actions which should be taken to deal with the problem. You may make notes of your responses on the sheet which follows each memo or letter.



You will be asked to discuss your responses in a small group and come up with a group answer to the questions on the worksheets. A group consensus form is provided following all the items and worksheets. Please use this form to record your group's answer to one of the items.



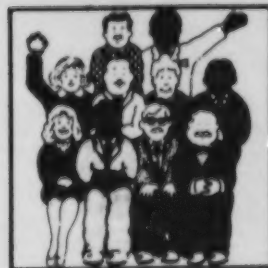
TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS



TO: Dr. Norris
FROM: Assistant Superintendent Vernon Casey
RE: Teaching and Counseling Staff



During the past few months I have received more than 20 complaints from students regarding the pressures that counselors and teachers place on them discouraging their enrollment in vocational education classes which are nontraditional for their sex. Although notification has been sent to every member of the instructional and counseling staffs that reduction of the sex disproportionate enrollments is a goal of the district vocational educational programs, it appears that some personnel are not facilitating progress toward this goal.



I am recommending that disciplinary actions be taken against those who are exerting such pressures. Is this consistent with your thinking? Do you have other suggestions for dealing with the problem?

TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS

Vernon Casey--Individual Analysis

1. What are the implications of Title IX for this problem?
2. What further information is needed to facilitate action or decision making?
3. What kinds of action steps are suggested by this problem?
 - Policy development/clarification/communication _____
 - Study or investigation _____
 - Staff Training _____
 - Community involvement _____
 - Program development/modification _____
 - Budget allocation _____
 - Disciplinary action _____
 - Other (please specify) _____

4. What specific alternatives are available for problem resolution?
5. Which alternative(s) would you select and why?



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TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS



TO: Dr. Norris

FROM: Sharon Findley, Principal
Northwood High School

RE: Personnel Policies

Four months ago I made application for the position of Assistant Superintendent for Curriculum which had been posted. My application was processed and I was recently interviewed by Mr. Gray, Director of Personnel, and a committee of board members and central office staff.

During the interview I was asked questions such as:

Did my husband support my taking on additional responsibility?

Would I be willing to work the extra time that would be necessary to complete the rigorous requirements of the job?

Did I really understand management or had I relied on Mr. Knopman, the Assistant Principal of Northwood High School, for much of the direction of our administrative activities?

Would I be able to ensure adequate care for my children if I were working in a job which required longer hours?

Although no announcement has been made as to the selection for this position, I believe that many members of the committee were biased in their consideration of a woman in this position and that, in fact, many of the questions asked me were illegal.

At the present moment I have no ideas as to a course of action which I might pursue, but I think that it is important that you know the facts of this case in order that some action may be taken to prevent this type of problem in the future.



TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS

Sharon Findley--Individual Analysis

1. What are the implications of Title IX for the problem to be addressed?
2. What further information is needed to facilitate action or decision making?
3. What kinds of action steps are suggested by this problem?
 - Policy development/clarification/communication _____
 - Study or investigation _____
 - Staff training _____
 - Community involvement _____
 - Program development/modification _____
 - Budget allocation _____
 - Disciplinary action _____
 - Other (please specify) _____
4. What specific alternatives are available for problem resolution?
5. Which alternative(s) would you select and why?



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TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS



TO: Dr. Norris

FROM: Tomas Ortega
Counselor, Bryant Senior High School

RE: Need for new counseling materials



One of the major findings of the Title IX self-evaluation committee for counseling services was the fact that the majority of the career counseling materials in use in Fernwood are very sex stereotyped. Most show almost no girls in career positions and several go so far as to say that the most important career for any woman is marriage and motherhood.



The committee recommended almost one year ago that funds be made available for the purchase of materials dealing with careers for girls and women. The counseling department budget for next year has no item for the purchase of these materials. Dr. Van Horne, the Director of Counseling Services, has told the self-evaluation committee that all materials procurement money must go to buy other materials.

We on the committee are disturbed that we are not providing good career counseling services to girls and that the Fernwood schools may be in violation of Title IX.

We would like to discuss this matter with you at your convenience.

TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS

Tomas Ortega--Individual Analysis

1. What are the implications of Title IX for the problem to be addressed?
2. What further information is needed to facilitate action or decision making?
3. What kinds of action steps are suggested by this problem?
 - Policy development/clarification/communication _____
 - Study or investigation _____
 - Staff training _____
 - Community involvement _____
 - Program development/modification _____
 - Budget allocation _____
 - Disciplinary action _____
 - Other (please specify) _____
4. What specific alternatives are available for problem resolution?
5. Which alternative(s) would you select and why?



TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS



TO: Superintendent Norris

FROM: Robert Welsh, Esquire

RE: Examination of possible sex discrimination in
the contract between Fernwood District Schools
and Fernwood teachers



At your request I have reviewed the terms of the contract between the Fernwood District Schools and the Fernwood Teachers Association in an effort to identify any provisions which may be discriminatory. One clause appears to be discriminatory:

Section H - Salary Increments; Clause 4-Increments
for Athletics Personnel

The contract states that male coaches are eligible for a 5-1/2 percent increment for the 77-78 year and that female coaches are eligible for a 4-1/2 percent increment during the same period of time.



I would like to discuss this with you in greater detail in the near future.

TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS

Robert Welsh--Individual Analysis

1. What are the implications of Title IX for the problem to be addressed?
2. What further information is needed to facilitate action or decision making?
3. What kinds of action steps are suggested by this problem?
 - Policy development/clarification/communication _____
 - Study or investigation _____
 - Staff training _____
 - Community involvement _____
 - Program development/modification _____
 - Budget allocation _____
 - Disciplinary action _____
 - Other (please specify) _____

4. What specific alternatives are available for problem resolution?
5. Which alternative(s) would you select and why?



TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS



TO: Superintendent Norris

FROM: Jerri Dickinson
Home Economics Department

RE: Use of Sewing Machines



It has been the policy of the home economics department to make sewing machines available to students after school for the completion of their sewing projects. Until this year the majority of students using the machines have been females who have had considerable experience with the use of sewing machines.

Since the introduction of the Survival course this fall, a number of male students have used the machines after school hours. This has created continuing problems of machine maintenance. Numerous needles have been broken, threads have been found jammed in the bobbin holders and excessive oil has soiled the garments of subsequent users.



It would appear to me that we are going to have to restrict use of the machines after school hours to female students only. I understand, however, that this might be illegal.

Do you have any suggestions?

TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS

Jerri Dickinson--Individual Analysis

1. What are the implications of Title IX for the problem to be addressed?

2. What further information is needed to facilitate action or decision making?

3. What kinds of action steps are suggested by this problem?

Policy development/clarification/
communication _____

Study or investigation _____

Staff training _____

Community involvement _____

Program development/modification _____

Budget allocation _____

Disciplinary action _____

Other (please specify) _____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?



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TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS



Superintendent Norris
Fernwood Community Schools
Fernwood, Oklahoma

Dear Dr. Norris:

We are juniors at Fauquier High School. We are writing to complain about the sports programs offered to girls.



Fauquier has girls' interscholastic teams in basketball, field hockey, tennis and gymnastics, but we don't have teams in track, swimming or baseball, even though the boys do. We don't think this is fair.

We have talked to Mr. Neeto, the athletics director about this, and he said he is sorry but that there is nothing more that he can do. We think that the school must permit girls to compete in these sports. We have talked to our parents and they agree.

Sincerely,

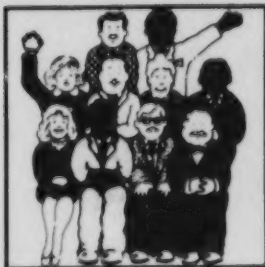
Anne Brosh

Benessa Jackson

Julie Gonzalez

Karen Pickering

Elma Carpenter



TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS

Ann Brosh et al.--Individual Analysis

1. What are the implications of Title IX for the problem to be addressed?
2. What further information is needed to facilitate action or decision making?
3. What kinds of action steps are suggested by this problem?
 - Policy development/clarification/communication _____
 - Study or investigation _____
 - Staff training _____
 - Community involvement _____
 - Program development/modification _____
 - Budget allocation _____
 - Disciplinary action _____
 - Other (please specify) _____
4. What specific alternatives are available for problem resolution?
5. Which alternative(s) would you select and why?



TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS:

CONSUELO NOETH



TO: Dr. Norris
FROM: Consuelo Noeth, Title IX Coordinator
RE: Report of Title IX Grievances in Fernwood Schools

This report is to provide an update on Title IX grievances which have been handled during the six-month period between September 1976 and March 1, 1977.



Number of grievances filed	64
Number of grievances resolved before formal hearings	27
Number of grievances heard at Level I	17
Number of grievances heard at Level II	9
Number of grievances heard at Level III	2
Number of grievances dropped	7
Number of grievances pending	2
Total	64

An analysis of the grievances indicates that 40 grievances involved secondary school students, 12 involved elementary school students and 12 involved school district employees.

The areas in which student grievances were filed include:

Secondary Schools

Access to vocational education classes	15
Access to physical education classes	2
Differences in competitive sports programs	13
Scheduling of programs for pregnant students	2
Access to extracurricular activities	3
Differential dress codes	5

Elementary Schools

Lack of notification of policy	6
Access to playground facilities	4
Differential classroom activities	2

Employment

Unequal pay for equivalent work	8
Discrimination in promotion	2
Denial of leave	2

Examination of the number of grievances filed by schools indicates that 82 percent of the complaints were filed within four of the 27 schools in the district.



TITLE IX DECISION MAKING IN FERNWOOD SCHOOLS: GROUP CONSENSUS SHEET



Please use this sheet to record the responses which are the consensus of your small group regarding one of the in-basket problems presented. (Other members of the small group should make similar sheets on the other problems.)

Problem: _____
(name of person submitting memo/letter)



1. What are the implications of Title IX for the problem to be addressed?

2. What further information is needed to facilitate action or decision making?

3. What kinds of action steps are suggested by this problem?

Policy development/clarification/
communication _____

Study or investigation _____

Staff training _____

Community involvement _____

Program development/modification _____

Budget allocation _____

Disciplinary action _____

Other (please specify) _____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

ACTIVITY**10****IMPROVING TITLE IX
IMPLEMENTATION****Activity Agenda:**

- A. Individual Activity and Paired Discussions (15 minutes)
- B. Large Group Discussion (5 minutes)

Purpose of the Activity:

To assist participants in the identification of action steps which could assist Title IX implementation efforts in their schools

Materials Needed:**For participant use:**

Improving Title IX Implementation--Participant Worksheet 15

For facilitator use:

None

Facilitator Preparation Required:

Thoroughly review the total session outline and participant materials

PROCEDURE



A. Individual Activity and Paired Discussions (15 minutes)

In this activity participants are asked to identify action steps which they can use for increasing the effectiveness of Title IX implementation in their districts.

The activity may be introduced with comments such as:

"During the past two activities we've identified the steps necessary for monitoring Title IX implementation and we've reviewed some of the procedures and guidelines which might be used in finding solutions to administrative problems which are encountered in Title IX implementation efforts.

"At this time we want you to consider all of the activities which have been included in the session and begin to identify the ways that information or procedures could be applied to improving Title IX implementation in your district. On the basis of the information covered during this workshop, what do you believe are the next steps for improving Title IX implementation in your district?



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"Participant Worksheet 15 provides you a guide for thinking about the next steps. Please take a few minutes to complete the worksheet and begin to formulate your beginning action plans.



"When you have completed your worksheets, we're going to ask you to select a partner and compare your responses. Try to be as specific as possible in identifying actions which you can take to improve the effectiveness of Title IX implementation."

Participants should be given approximately 15 minutes to complete the worksheet and their paired discussions.

B. Large Group Discussion (5 minutes)

The workshop facilitator should take a few minutes to close this activity by asking participants to share a few examples of specific steps they can take to increase Title IX implementation in their districts.





IMPROVING TITLE IX IMPLEMENTATION



During the session you have been exposed to a number of concepts and strategies regarding the intent of Title IX and its implementation. On the basis of the information gained today, please answer the following questions:

1. On the basis of information obtained during the workshop, I believe that Title IX implementation in our district could be described as:

Little or uneven imple- mentation	Basic pro- cedural im- plementation	Major pro- grammatic implemen- tation	Full im- plemen- tation
---	---	--	-------------------------------



2. The information I need to collect regarding Title IX implementation in my district is:



3. The person(s) from whom I need to collect this information are:

4. The most important actions which I can take to increase Title IX implementation in my district are:

5. The things I need to do to accomplish this action when I return home are:

6. The assistance I need to increase Title IX implementation is:

7. The persons/places where I can obtain this assistance are:

ACTIVITY**11****SUMMARY AND
WORKSHOP EVALUATION****Activity Agenda:**

- A. Summary Comments (5 minutes)
- B. Workshop Evaluation (5 minutes)

Purposes of the Activity:

To provide participants with a general summary of the session

To provide participants with an opportunity to evaluate the activities included in the session

Materials Needed:

For participant use:

Workshop Evaluation Sheet (in Participant Workbook)

For facilitator use:

None

Facilitator Preparation Required:

Thoroughly review the total session outline

Review suggested comments and adapt them to accommodate unique group needs and facilitator(s) style(s)

PROCEDURE



A. Summary Comments (5 minutes)

The summary comments should provide participants with a review of the major purposes of the session and reinforce the major learnings of the session. Comments such as the following would be appropriate.

"This session has been directed to the specific responsibilities that educational decision makers and administrators must take to achieve compliance with Title IX. During the first part of the session we reviewed the procedural activities which are required by the Title IX regulation and attempted to gain some insight as to the adequacy of the ways these procedures have been implemented in our school systems. Later, we turned to the ongoing processes that must be maintained for continuing Title IX compliance and for the attainment of educational equity--monitoring and problem solving. Although the focus of monitoring and problem solving activities differ for administrators, Title IX coordinators and board members, it is essential that persons in each of these roles carry out these activities for effective Title IX implementation.

"As you carry out these activities it is important that you remember these major points:

Title IX implementation provides an opportunity to improve all educational decision making and administration. The skills to be developed in monitoring Title IX implementation and problem solving may be applied to any aspect of educational programs, policies and practices.

Title IX implementation is a part of a total program of increasing educational equity for all students. The activities suggested for achieving equity on the basis of sex should be adapted and utilized for achieving equity on the basis of race, of cultural background, or social class and of physical capability. The ultimate goal of equity efforts is to ensure that all students are provided with the experiences which will prepare them for equal participation in our society and for maximizing the development of their potential.



Those of you in this session have responsibility for the development and maintenance of organizational structures which ensure open systems of access and opportunity for all students and employees. We know that the structures and operation of an organization set the tone for the behavior of employees and students. Your behavior, individually and collectively, sets the pattern for the quality by which educational services are provided. Each of you is a visible leader within your school system and your response to Title IX issues and other equity concerns is an important factor in the quality of education provided in your schools. We hope that each of you will be a positive force for ensuring that the needs and rights of all students are a consistent concern in your schools and that you systematically act to ensure that the total organization and individual staff members behave in ways which are consistent with this concern."



B. Workshop Evaluation (5 minutes)

"We would like each of you to find the Workshop Evaluation Sheet in your Participant Workbook.

"Please take a moment or two to complete the form and turn it in before you leave."

The following closing comments would be appropriate:

"This session has focused on those activities which you as an individual can undertake to increase the effectiveness of Title IX implementation in your schools. Increasing your skills in these areas is a method of improving your decision making and administrative skills. We hope that each of you has identified specific steps for your personal change goals."

The facilitator(s) should collect all Workshop Evaluation Sheets before (or as) participants leave the session.



Last Page

APPENDICES

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APPENDIX

A

IMPLEMENTING TITLE IX GRIEVANCE PROCEDURES: SUGGESTED ANSWERS

Part One: Implementing Title IX Grievance Procedures-- Problem Analysis Sample Analyses

Problem One

Nature of the problem:

The problem relates primarily to the dissemination of information regarding the grievance procedure--its coverage and its purposes--and the Title IX requirements.

No systematic methods of disseminating information on Title IX requirements, the Title IX grievance procedure and Title IX implementation efforts to students or parents appear to have been implemented. For Ms. Rivera to provide all such information on a one-to-one basis is too time consuming in view of her other Title IX related responsibilities.

The problem might have been avoided by:

More complete initial notification to students and parents of the particular rights protected by Title IX and the coverage and purposes of the Title IX grievance procedure

Development and distribution to interested persons of a pamphlet or brochure regarding Title IX requirements and the coverage of the Title IX grievance procedure

Implementation of monthly or bi-monthly evening meetings on Title IX progress, problems and concerns, during which parents may come to ask questions and receive reports regarding Title IX rights and implementation efforts

Designation of several additional grievance representatives, who, under supervision of the Title IX coordinator, provide basic information on Title IX and the grievance procedure to interested parents and students

Problem Two

Nature of the problem:

The problem seems to be related to three issues: the grievance decision making process, grievance follow-up and training of staff regarding Title IX requirements and grievance decisions and their implications.

There seems to be a perception on Mr. Jenkin's part that Title IX compliance procedures and grievance decision making are "administrators' problems" which work to the detriment of teachers, rather than the legal and educational responsibility of all school district employees. He is required to implement Title IX compliance procedures which he says he does not understand and which he does not feel are appropriate to his situation.

The problem might have been avoided by:

Providing inservice training on Title IX requirements and their implications for instructional personnel to all teachers

Involving teacher representatives from major instructional areas (e.g., vocational education) in the implementation of relevant portions of the institutional self-evaluation and the development of appropriate corrective actions

Involving teacher representatives in a grievance hearing panel or advisory committee on grievance resolutions

Involving persons affected by a grievance decision in grievance follow-up meetings to assist them in understanding and implementing the grievance decisions or in developing the corrective measures which best fit their programs and ensure nondiscrimination and appropriate remedial actions

Implementing periodic meetings between teachers and the Title IX coordinator to discuss teacher concerns related to Title IX (these could be provided within the agenda of regular teachers' meetings)

Problem Three

Nature of the problem

The problem relates to the structure of the grievance procedure and to the grievance decision making process.

The district's Title IX grievance procedure is not used, and it is apparently not perceived by the community as a procedure which offers a viable method of problem presentation and resolution. This probably stems from two sources.

1. Because the superintendent is the sole and final authority for grievance decision making, the structure of the procedure provides no progressive appeals mechanism, and there is no apparent assurance that the grievance decision will be made by a person who is not primarily involved in its outcome.
2. Because the superintendent is the only person designated to receive grievances when filed, students and employees may find it difficult and intimidating to file their grievances at the central administrative office.

The problem might have been avoided by:

Designing a grievance procedure which provides several different levels of grievance considerations, e.g.: step one--the building principal; step two--the central administration (superintendent or assistant superintendent); step three--the school board or designated hearing panel. (Such a procedure provides progressive levels of appeal and helps to ensure that the grievance may be considered by a variety of persons with varying perspectives and degrees of involvement in the grievance resolution.)

Designating representatives who can receive Title IX grievances in each school building in the district.

Problem Four

Nature of the problem:

The problem concerns two interrelated issues: the grievance decision making process and the training of staff (and of the community hearing panel member) regarding grievance processing and Title IX requirements.

A grievance decision maker can only be effective if she/he has a good working understanding of the Title IX regulation and its implications. A grievance hearing panel is an extremely useful method of providing relatively neutral grievance decision making and ensuring that a variety of groups are involved in the grievance decision making process. Such a panel can represent a variety of perspectives in the decision making process and can assist in the interpretation of grievance decisions to their varying constituencies. However, it can only be effective in protecting both the school district and its students and employees from violations of Title IX when its members are trained in or knowledgeable of Title IX requirements and the kinds of steps which may be necessary to correct and remedy any identified violations.

(The secondary problem, the district's possible noncompliance with Title IX requirements for nondiscrimination in athletics, is partially a by-product of this fundamental problem. Although the district must certainly take steps to correct and remedy this noncompliance, it is critical that steps be taken to minimize the possibility of inaccurate grievance decision making in the future.)

The problem might have been avoided by:

Providing mandatory training for all panel members regarding Title IX requirements and grievance decision making

Providing a grievance hearing panel its own budget allocation with which to obtain expert legal counsel when necessary (counsel which is not directly retained by the school administration or governance board)

Problem Five

Nature of the problem:

The problem seems to relate to two areas of grievance procedure implementation: grievance follow-up and monitoring and the dissemination of information regarding grievance decisions and their implications.

The problem appears to have two primary aspects:

1. Monitoring efforts necessary to ensure implementation of the corrective steps required under the first grievance decision were apparently not undertaken (thus the Title IX coordinator discovers four months later that the identified discrimination still exists).
2. There appears to have been no efforts made to communicate the results of the first grievance decision to persons not directly involved in that grievance, particularly to relevant persons in other schools throughout the system (where almost identical grievances were filed from two other schools).

The problem might have been avoided by:

Instituting a follow-up and monitoring system to ensure that all grievance decisions are implemented in a timely and effective fashion (such a system might include required submission and specified information by the person(s) responsible for implementing corrective and remedial action; surveys to grievants; direct observations by the Title IX coordinator, etc.)

Instituting a grievance decision reporting system to inform all necessary staff and interested persons of grievance decisions and their implications for school policies, programs, procedures and practices (such a system might involve periodic written reports, periodic briefings, etc.)

Part Two: Implementing Title IX Grievance Procedures--
Identifying Strategies to Increase Their Effectiveness

Function One: Providing a mechanism for involving all personnel and students in the monitoring of Title IX compliance and the correction of illegal sex discrimination

If a Title IX grievance procedure is to serve this function, it is critical that all personnel and students have access to information regarding Title IX requirements and the Title IX grievance procedure. It is to the advantage of the education agency to promote such involvement as a means of ensuring that discrimination is identified and corrected as expeditiously as possible.

Action strategies/steps:

Inclusion of information on Title IX requirements and the Title IX grievance procedure in all personnel handbooks and student handbooks

Development of a brochure regarding Title IX requirements and the Title IX grievance procedure; one-time dissemination to all personnel and students, dissemination thereafter upon request and to all new personnel and students

Development and dissemination of a periodic Title IX newsletter with information regarding Title IX grievance procedures and revisions in agency policies, programs, procedures and practices undertaken as a result of grievance decisions

Implementation of periodic Title IX briefing and question/answer sessions for interested personnel and students

Implementation of training on Title IX requirements and agency compliance efforts for key leaders of various personnel and student groups

Implementation of periodic surveys of personnel and students to assess their knowledge of Title IX requirements and of the Title IX grievance procedure, its use and its purpose

Designation of Title IX grievance representatives in all school buildings who can provide personnel and students with basic information regarding Title IX requirements and the use of the Title IX grievance procedure

Review of all Title IX grievance forms to ensure that they are simple to use and comprehensible to all personnel and students

Opening of grievance records (with names and identifying information removed) to interested staff and students

Inclusion in the Title IX grievance procedure of methods for informal discussion of Title IX-related issues at the pregrievance stage

Function Two: Increasing dialogue and mutual problem solving related to issues of educational equity among various personnel levels of the education agency

If Title IX grievance resolutions are to be effectively implemented, it is important that the variety of persons who may be affected by any resolution are involved in its formulation or receive thorough information about the resolution and an opportunity to comment on its workability. A Title IX grievance procedure which provides such involvement or opportunity can also serve to increase the general level of communication and dialogue between various levels or groups of personnel within the education agency.

Action strategies/steps:

Involving representatives of various groups or levels of personnel (teachers, counselors, classified staff, etc.) in a review of the Title IX grievance procedure and in the suggestion of appropriate modifications

Reviewing the Title IX grievance procedure to ensure that it provides procedural rights to all personnel who may be involved in a Title IX grievance as either a grievant or a person named as a possible Title IX violator

Involving representatives of various staff groups or levels on grievance hearing panels or grievance advisory boards

Providing an opportunity for any staff affected by a grievance resolution to consult with grievance decision makers regarding the specification of appropriate corrective and remedial actions

Implementing periodic surveys of staff to determine their perceptions of the effectiveness of the Title IX grievance procedure and grievance-related revisions in policy, program or practice

Function Three: Increasing dialogue between the community and the schools related to issues of educational equity and educational programs

Dialogue between the schools and the community on issues related to educational equity can serve several purposes:

It can provide the schools with a mechanism for communicating and interpreting school policies to the community and for soliciting community support for their implementation

It can provide the community an opportunity to identify community needs relevant to school programs

It can provide both groups with a structure for addressing issues of educational equity which are of mutual concern

If school/community relationships are to be meaningful to both sides, it is essential that community members be provided access to information regarding the particular area of concern, in this case the Title IX grievance procedure and Title IX compliance efforts. The provision of such information can help to minimize the filing of grievances which are irrelevant to Title IX and it can help to ensure the timely identification of inadvertent Title IX violations.

Action strategies/steps:

Provision of information regarding Title IX requirements and the Title IX grievance procedure in ongoing communications with parents and community members (e.g., "back-to-school" memoranda to parents, public relations brochures, etc.)

Development of a special brochure regarding educational equity efforts and the Title IX grievance procedure for dissemination upon request to community members or groups

Designation of school personnel available to make presentations on the Title IX grievance procedure and Title IX compliance efforts to community groups

Development of brief presentations regarding Title IX and the grievance procedure for inclusion in ongoing community meetings (e.g., the PTA meetings)

Ensuring the eligibility of community groups to bring grievances under the Title IX grievance procedure

Opening Title IX grievance records (with names and identifying information removed) to concerned community members

Designation of community representatives to serve on grievance hearing panels or grievance advisory boards

Providing hearings or portions of school board meetings in which community members may express their views and ask questions regarding Title IX and the grievance procedure

Function Four: Protecting the education agency from Federal intervention by providing a mechanism for the resolution of allegations of Title IX violations and the development of necessary corrective and remedial actions at the local level

If the Title IX grievance procedure is to be effective as a mechanism for resolving Title IX grievances locally

without Federal intervention, several conditions must be met:

1. The procedure must provide due process for all parties to the grievance. (If due process is not provided, it is unlikely that the procedure will be utilized.)
2. The procedure must provide equitability and some assurance that grievances will be heard by persons not directly involved in the outcome of the grievance. (If there is no attempt to ensure that the grievance decision will be a fair and neutral one, it is again unlikely that the procedure will be utilized.)
3. All grievance decisions must be made in accordance with Title IX requirements. (If decisions are made without adequate information on Title IX, or on the basis of expediency, the grievant is likely to resort to the Federal administrative complaint procedure.)
4. All actions necessary to correct and remedy identified discrimination must be taken in a timely and effective fashion. (If necessary corrective and remedial actions are not taken, the grievant is again likely to resort to the Federal administrative complaint process through which correction may be compelled by financial sanctions.)
5. The grievance procedure must be implemented in a timely fashion. (Unless the grievance procedure provides for timely grievance resolution, the advantage of this procedure to the grievant may be reduced.)

In short, if the procedure is to be useful to both the grievant and the education agency, it must be structurally sound and implemented in a good faith manner.

Action strategies/steps:

Review the Title IX grievance procedure to ensure that it provides for:

Due process

Equitability and impartial decision making

Timely resolution of complaints

Protection of grievants from harrassment and retaliation

Review the implementation of the Title IX grievance procedure to ensure that:

All grievance decisions have been made in accordance with Title IX requirements

All grievance decision makers are knowledgeable regarding or have received training in Title IX requirements

All grievance decisions specify appropriate corrective and remedial steps when discrimination is identified

Follow-up and monitoring efforts are made to ensure the implementation of grievance decisions

APPENDIX**B****TITLE IX DECISION
MAKING: SUGGESTED
ANSWERS****VERNON CASEY**

1. The Title IX regulation states that counselors may not discriminate against any person on the basis of sex in the counseling process [§86.23(a)] and that course offerings, including vocational education courses, may not be provided separately on the basis of sex. [§86.34]
2. Further information is needed regarding the specific nature of the pressures that students have experienced as they are moving into vocational education programs, the policies and policy guidelines which specify open access to courses, and copies of any course selection materials that are made available to students.
3. The possible actions suggested by the problem involve policy development/clarification/communication, staff training and program modification/development.

4. A number of alternatives are available:

Policy guidelines regarding nondiscrimination in student access to courses could be developed and distributed to all counselors and instructional staff.

A program of staff training regarding the responsibilities of counseling and instructional staff for nondiscrimination could be developed and implemented for all staff.

A program of career planning and support services to overcome the effects of past discrimination could be developed for all students, with special attention being given to students interested in nontraditional areas. This might include support groups for students, open-house sessions to expose all students to the range of available vocational education alternatives, discussion sessions with men and women in nontraditional jobs, etc.

A review of student handbooks, career planning materials, course descriptions, etc. could be made to ensure that they are nondiscriminatory and that students know their rights of equal access to courses.

Disciplinary actions could be taken in those instances where it is clear that personnel continue to exert pressures or harass students.

5. Each alternative should be implemented.

APPENDIX**C****TITLE IX DECISION
MAKING: SUGGESTED
ANSWERS****SHARON FINDLEY**

1. Under the provisions of the Title IX regulation, an employer may not take any employment action concerning the marital, parental, or family status of an employee or applicant which treats persons differently on the basis of sex; or make any pre-employment inquiries of one sex if they are not made of the other sex. [§86.57(a)] and [§86.60(a)(b)]
2. Further information is needed to determine whether the same inquiries were made of male applicants and whether specific policy and guidelines have been developed regarding the interviewing of job candidates.
3. The action steps which are suggested include:

Development of policy guidelines regarding nondiscriminatory hiring (if it does not exist)

Development of policy guidelines regarding nondiscrimination in employment interviewing (if they do not exist)

Provision of staff training

Disciplinary action (if behavior continues)
4. The alternatives which are available to Superintendent Norris include:

To write a letter to Ms. Findley thanking her for the information, assuring her that steps will be taken to ensure a fair and unbiased consideration of her qualifications, and that actions will be taken to prevent recurrence of this experience

To prepare and disseminate a statement clarifying district policy in this area

To develop a program of staff training for all persons with responsibility for interviewing and hiring persons

To investigate the possibility of the need for disciplinary action
5. Each of the alternatives should be implemented.

APPENDIX**D****TITLE IX DECISION
MAKING: SUGGESTED
ANSWERS****TOMAS ORTEGA**

1. Each agency receiving Federal funds is required to develop and use internal procedures to ensure that existing counseling materials are not discriminatory. Agencies may not use materials which permit or require different treatment of students on the basis of sex. [§86.36(b)]
2. Further information is needed regarding the counseling materials currently being used, level of staff awareness and the patterns of use of sex stereotyped materials, and the availability of other funds.
3. The primary action steps suggested by this problem would be related to budget allocations for purchase of sex-fair materials and to the development of a program for internal development of supplementary materials.
4. Available alternatives include:
 - Review of use of allocated funds to assess the possibility of reduction of funds
 - Review of possibilities of securing funds for purchase of materials
 - Involvement of staff in an assessment of materials currently being used
 - Involvement of staff in the development of supplementary materials
 - Training of staff in guidelines for nondiscriminatory use of biased counseling materials
5. Each of the alternatives should be considered.

APPENDIX**E****TITLE IX DECISION
MAKING: SUGGESTED
ANSWERS****ROBERT WELSH**

1. The Title IX regulation requires that employers may not, on the basis of sex, make distinctions in the rates of pay for equal work. [§86.54] If coaching positions are equivalent, no distinctions may be made on the basis of sex.
2. The contract language is clearly discriminatory on its face, in that salary distinctions are made on the basis of sex of employees. Further information is therefore not needed for determining the legality of the contract language, but it might be useful in identifying alternative contract provisions. Information useful for this purpose would include descriptions of each coaching position in terms of responsibilities, competencies required, etc; criteria used for establishing coaching salaries; projected athletics program plans and budgets, etc.
3. Action steps which are indicated include policy development/clarification/communication and budget allocation/reallocation.
4. Available alternatives include:
 - Work with the teacher's association to change the terms of the agreement (contract)
 - Develop criteria for determination of pay increments on the basis of factors other than sex (e.g., performance, responsibility, etc.)
 - Implement procedures necessary to equalize pay of female and male staff on the basis of the criteria developed (other than sex)
 - Revise athletics budget as required to accommodate salary changes
5. Each of the alternatives should be implemented.

APPENDIX**F****TITLE IX DECISION
MAKING: SUGGESTED
ANSWERS****JERRI DICKINSON**

1. The Title IX regulation requires that students may not be provided different aid, benefits or services on the basis of sex. [§86.31(b)]
2. Further information is needed regarding the method of granting permission to use sewing machines, the method of assigning responsibility for care of machines, and the extent to which instruction is provided to students in the use of sewing machines.
3. Action steps which are suggested include policy clarification and staff training efforts.
4. Available alternatives include:

Develop a test to determine competency of users which would be used as a condition of giving either males or females permission to use the machines outside of class hours.

Ensure that curriculum activities include adequate attention to the use and care of sewing machines.

Develop a system of individual accountability for care of sewing machines used after school hours so that any suspension of use privileges may be done on a student-by-student basis.

Develop a program of staff training which can assist instructional personnel in the implementation of nondiscriminatory programs and related problem solving strategies.
5. All alternatives should be implemented.

APPENDIX**G****TITLE IX DECISION
MAKING: SUGGESTED
ANSWERS****ANN BROSH et al.**

1. Agencies receiving Federal funds are required to evaluate their total athletic program to determine whether or not it effectively accommodates the interests and abilities of members of both sexes. Factors which should be considered in the evaluation include the nature and extent of sports programs offered and their accommodation of the interests and abilities of males and females in both sports and the level of competition offered. [§86.41(c)]
2. Further information is needed regarding:

The nature of the barriers which the athletics director alluded to; the specific sports and levels of competition currently being provided for males and females; any efforts made to assess the athletic interests of females; and the plans that may have been developed for the expansion of female sports programs (including specific sports and timetables).
3. The action steps suggested by the problem are program modification/ development, study and investigation of female interests if this has not been done and policy clarification.
4. Available alternatives include:

Meeting with the athletics director to obtain a report of current female sports activities, plans for the future and an analysis of barriers to immediate equalization of programs (including projected timeliness for elimination of their barriers)

Conducting an inventory of the athletic interests of female and male students in interscholastic and intramural sports (if one has not already been completed)

Reviewing plans, if any, for the expansion of female sports programs including timetables, sports and financial projections

Meeting with students to obtain greater information, to clarify district policy and plans, and to obtain their suggestions for program revisions
5. Each of the alternatives should be implemented.

APPENDIX**H****TITLE IX DECISION
MAKING: SUGGESTED
ANSWERS****CONSUELO NOETH**

1. Every agency receiving Federal funds must adopt, publish and maintain grievance procedures which provide a method of resolving student and employee grievances. [§86.8(b)]

2. Further analysis of the grievances is required in order to identify:

Any similarities in the grievance allegations or situations suggesting systemic problems or patterns of discrimination

Any patterns or inconsistencies in grievance resolutions

Any recommendations for action which emerge from patterns identified

Any needs for individual problem solving, correction or reinforcement

Areas for further monitoring

Ms. Noeth's analysis is good in that it provides information on the numbers of grievances falling in particular areas and the numbers filed by school, but information on outcomes and recommendations for action is needed.

3. The action steps that are suggested include further study of the specifics of the grievances (e.g., possible reasons for the concentration of grievances in a few schools), specific policy communication to particular groups within the high grievance schools and staff training. The need for staff training is suggested by the number of grievances, which reflects the need to ensure understanding of the Title IX regulation requirements throughout the total system.

4. Alternatives that are available include:

Request the Title IX coordinator to provide additional information such as:

Listing of outcomes of grievances by type of grievance

Listing of grievances by school

Identification of the problems involved in the grievances

Recommendations for actions which should be taken

Request the Title IX coordinator to develop criteria for analysis of the grievances, and establish a timetable for regular reporting and analysis of grievance handling.

Request the Title IX coordinator to review the self-evaluation records of all schools, with particular emphasis on the four schools where most grievances were filed. Make recommendations for re-evaluation where desirable.

Review the policies and policy communications regarding vocational education and competitive sports. Meet with department heads to obtain further information and develop appropriate actions.

Implement training for all staff regarding their responsibilities for Title IX compliance.

5. All alternatives should be used.

APPENDIX

I

GLOSSARY OF TERMS RELATING TO GRANTS AND CONTRACTS

ACCOUNTABILITY: Responsibility for a specified performance, outcome and results.

AUTHORIZATION: Basic substantive legislation enacted by Congress which sets up a federal program or agency. Such legislation sometimes sets limits on the amount that can subsequently be appropriated but does not usually provide budget authority.

AWARDS, METHODS OF: (1) **OPEN-BID:** Request for Proposal (RFP) or prospectus is publicly announced and/or distributed. Respondents submit "solicited" proposal (see definition below). (2) **SOLE SOURCE AWARD:** A non-competitive offer to submit a proposal, made by the funding source to a uniquely qualified individual or organization (solicited proposal results). (3) **REQUEST FOR QUALIFIED SOURCES:** Offers are sent to previously identified individuals or organizations to submit proposal (solicited proposal).

BUDGET: The estimated cost of performance of the project as set forth in the Notification of Grant Award or contract.

BUDGET AUTHORITY (APPROPRIATION): Authority provided by Congress which allows federal agencies to incur obligations to spend or lend money. The budget authority appropriated for a fiscal year is sometimes more than the obligations or outlays within that year due to the long-range nature of some programs (particularly construction projects). There may be unspent budget authority carried over from prior years earmarked for specified purposes. This money is not available for new programs.

CONTRACT: The procurement of a service to perform a specific activity where the funding source (federal agency) has already identified a need, has determined the type of program needed to meet this need, has described the actual format for the service or activity desired, has determined the expected outcomes for the project, has selected an acceptable cost range and knows the length of time required to complete the program. The funding agency exerts management control over the recipient. (Many federal agencies blur the distinction between a contract and a grant--see "grants" below.)

CONTRACTS, TYPES OF: (1) COST PLUS FIXED FEE: Specified the specific fee for performance, plus specified allowable additional costs; i.e., overhead, travel, etc. (2) FIXED PRICE (OR FIXED FEE): Guarantees specified payment for performance of specified tasks within a specified period of time. (3) GUARANTEED PERFORMANCE: Grantee (contractor) guarantees the results of his services (or activities or program) in specific behavioral terms. Payment is made only if results are met. (4) RETAINER: Minimum fee established for minimal services--usually designated by number of man-hours or man-days within a specified period of time. Additional time demands require separate contract negotiations. (5) OPEN-ENDED: Like a fixed fee contract--the difference being that further related activities, as yet unspecified, are anticipated. Usually entered into in exploratory stage of an idea, to determine whether further work is needed (pre-feasibility studies). If additional work is undertaken, a new contract is negotiated, usually on a "sole source" basis. (6) COST REIMBURSABLE: Contract issued on basis of estimated costs; final payment is based on costs actually incurred, usually not to exceed dollar amount of contract.

DIRECT COSTS: Expenses which can be itemized and for which vouchers or payroll records can be presented for payment. They include salaries and wages, fringe benefits, supplies, travel, communication, equipment, computer, rentals, printing and duplication, etc.

EMPLOYEE BENEFITS (FRINGE BENEFITS): Differ with each employing agency but generally include retirement, social security, health benefits. The business office of your agency can provide the percentage of salary to be used in computing this amount -- usually a direct cost.

EVALUATION: An appraisal of an activity seeking to measure the extent to which the activity or program attained the objectives set forth. (1) DESCRIPTIVE: Describes the situation or program as it appears at a given point in time, rather than attempting to establish cause. (2) FORMATIVE: Starts with establishing the objectives of the activity; continues during the entire course of the activity, providing ongoing data (feedback) for decision-making, including revision of the objectives initially established. (3) EXTERNAL (sometimes defined as "third party"): Conducted by individuals who are not directly involved in the process, procedure or program

being evaluated. (4) INTERNAL: The process used by personnel responsible for the operation of a program to determine the degree to which it has fulfilled its stated objectives.

FISCAL YEAR (FY): Year running from July 1 to June 30 and designated by the calendar year in which it ends. For example, FY74 covers the period July 1, 1973--June 30, 1974. (In process of transition from July 1 to October 1, to end September 30 will eventually apply to all federal grants.)

GRANT (CONTRACT) PERIOD: The period of time specified in the Notification of Grant Award or contract award during which costs may be charged against the grant or contract.

GRANTEE (CONTRACTOR): The agency, institution or organization named in the grant or contract as the recipient.

GRANTS: A formal gift of money executed for a designated purpose (usually experimental, research or demonstration), where all the factors related to "contracts" (need, format, outcomes, costs, time) are not fully determined. Often the idea for the grant is proposed by the agency or individual writing the proposal. The grantee has management control over the use of the funds, the methods to be used and a more flexible timetable. (Many federal agencies blur the distinction between a grant and a contract--see "Contracts" above.)

GRANTS OR CONTRACTS OFFICER: The federal agency employee who is authorized to execute and is responsible for the administration of the grant or contract on behalf of the Government. S/he is the only person authorized to approve amendments to the contract or grant; such authorizations are effective and binding only when in writing.

GUIDELINES: Following publication of "priorities" in the Federal Register, each agency re-publishes those priorities in the form of detailed "Guidelines" for use by institutions or organizations in applying for funds. (See "priorities" below.)

INDIRECT COSTS (OVERHEAD): These are REAL costs, defined as general expenses necessary for project operation, which

are difficult to itemize on a project-by-project basis; such as business office services, physical plant operation and library.

LETTER OF INTENT: Sometimes required by an agency before they will accept a complete proposal document. This letter usually contains a description of the proposed project, an estimated budget and information on the applicant. The purpose of this requirement is to allow the funding source to screen out ineligible applicants or projects not consistent with the program's priorities and format. This screening saves considerable time for both the federal agency and the group planning to submit a proposal. In some cases, the federal agency also wishes to determine in advance the number of completed proposals they can anticipate and thus do some preliminary planning about the use of their own personnel and funds. In addition, such a letter guarantees the funding source an opportunity to make comments and suggestions on a program idea before a completed application is submitted.

MANAGEMENT PROCESSES: Once a contract or grant has been awarded, the receiving agency is responsible for effective and efficient program and fiscal management. Management processes are the means by which management of the overall project is carried out, and includes planning, operation, fiscal administration, decision making, evaluating, and staff descriptions, recruiting and selection.

MATCHING CONTRIBUTIONS: Cash contributions or "in kind" support (travel costs, personnel services, overhead, space) provided by the grantee in support of the project. The required extent of this participation is set by the funding agency, usually as a percentage of the funds provided by the sponsor.

NEEDS ASSESSMENT: A survey and analysis of needs for the proposed program might include: (1) symptoms; (2) causes; (3) description of population; (4) related research; (5) attempted solutions; (6) capability of the institutions to implement and/or continue the activity.

OBLIGATIONS: Commitments made by federal agencies (or other organizations) to pay out money for projects, services or other purposes--as distinct from the actual payments. Obligations incurred may not be larger than the budget authority (appropriation) or grant award.

OUTLAYS (EXPENDITURES): All payments made during the fiscal year.

PRIORITIES: Each federal agency develops annual program plans which include objectives and primary areas of emphasis. These areas of emphasis are called priorities and the agency awards contracts or grants for projects which most closely relate to those priorities. Each federal agency must publish, in the Federal Register, the priorities for its programs; included will be a statement of its general interest, the specific population to be served, the deadline for applications and the type of proposal document to be submitted. (See also "Guidelines" above.)

PROJECT DIRECTOR (PRINCIPAL INVESTIGATOR): The person responsible for directing and managing the project of the grantee (contractor).

PROJECT OFFICER: The federal agency employee who is responsible for the technical (content, program) monitoring of the project of the grantee (contractor) as representative of the grants (contract) officer. (See "Grants or Contract Officer" above.)

PROPOSALS: (1) RFP (REQUEST FOR PROPOSAL): Lists the types of qualifications needed, gives details on the program to be funded and specifies the types of information interested institutions must submit in order to be considered for the award. (If you want to get RFP's from specific agencies, call the Procurement Office of that agency and ask for a "Bidder's Mailing List Application," Form 129.) (2) SOLICITED: Requested by the funding source because it has originated the program idea or because the proposed subject is consistent with its major program priorities. (See "Awards" above.) (3) UNSOLICITED: Idea for the program originates with the submitting agency. It may or may not be relevant to the priorities of the potential source of support. (See "Priorities" above.)

SPONSORED PROJECT: A specific activity or program financed by funds other than those of the regular budget of the agency administering the project. Usually this means programs financed through awards from federal agencies or private foundations.

STAFF: Personnel of an organization, from professional to custodial, who have assigned functions to carry out the purposes and objectives of the program.

SUPPLEMENTAL FUNDS (COST SHARING): Participation by the grantee in the costs of the project. (See "Matching Contributions" above.)

TERMS AND CONDITIONS: Document(s) incorporated in every contract or grant which set forth the specific federal laws and regulations which govern performance and administration of the project. Usually included are paragraphs relating to: project scope, cost limitations, accounts and records, payment procedures, reports, printing and duplicating, termination, application of state and local laws and institutional procedures, copyright and publication, patent rights, travel, equipment, sub-contracting, health and safety standards, compensation, labor standards, equal employment, consultants, clearance for forms, investment and grant related income, changes in key personnel, animal care, and so forth. Some items are special and unique to a particular project; most items are general and apply to all contracts/grants.

APPENDIX**J****SOURCES OF FUNDING:
EXAMPLES OF
DEPARTMENT OF
EDUCATION FUNDS**

The Federal Government is a major source of financial support and technical assistance to the nation's schools chiefly through the U.S. Department of Education (ED). ED administers programs covering virtually every level and aspect of education. These programs and the fiscal year 1977 funds appropriated by Congress in support of them are listed below. Any information regarding these funds may be obtained from U.S. Department of Education, Region 8, 1961 Stout Street, Denver, Colorado 80294.

TYPE OF ASSISTANCE	PURPOSE
GROUP I: TO INSTITUTIONS, AGENCIES AND ORGANIZATIONS	
PART A - For Elementary and Secondary Education Programs	
Bilingual education basic programs (OMB Cat. No. 13403)	To develop and operate programs for children ages 3-18 with limited English speaking ability
Bilingual education support services (OMB Cat. No. 13403)	To operate regional centers providing assistance to bilingual education teachers in local districts (training resource centers), develop bilingual curriculum materials (material development centers), or evaluating and printing such materials (assessment dissemination centers)
Community schools (OMB Cat. No. 13563)	To assist state and local education agencies in establishing community schools to train personnel to plan and operate community education programs
Education and the Arts (OMB Cat No. 13566)	To encourage the establishment of art education programs at elementary and secondary levels

TYPE OF ASSISTANCE	PURPOSE
Educational innovation and support (OMB Cat. No. 13571)	To improve leadership resources of state and local education agencies; to support innovative and exemplary projects, nutrition and health service and dropout prevention
Ethnic Heritage Studies (OMB Cat. No. 13549)	To develop intercultural understanding among individuals living in a pluralistic society, to promote mutual understanding among various U.S. ethnic groups
Follow Through (OMB Cat. No. 13433)	To extend into primary grades educational gains made by deprived children in Head Start or similar preschool programs
Incentive grants (OMB Cat. No. 13512)	To encourage greater state and local expenditures for education
Indian education (OMB Cat. No. 13534)	To provide supplemental programs meeting special educational needs of Indian children enrolled in public schools, grades K-12
Indian education (OMB Cat. No. 13551)	To provide special elementary and secondary school programs meeting the special educational needs of Indian students
Indian education—special programs and projects (OMB Cat. No. 13535)	To provide exemplary and demonstration programs for improving educational opportunities for Indian children
Metric education (OMB Cat. No. 13561)	To encourage education agencies to prepare students for the metric system of measurement
Programs for children in state institutions for the neglected and delinquent (OMB Cat. No. 13431)	To improve the education of delinquent and neglected children in state institutions

TYPE OF ASSISTANCE	PURPOSE
Programs for disadvantaged children (OMB Cat. No. 13428)	To meet the educational needs of deprived children
Programs for migratory children (OMB Cat. No. 13429)	To meet the educational needs of children of migrant farm workers
Special assistance to refugees from Laos, Cambodia and Vietnam (OMB Cat. No. 13769)	To assist refugees from Laos, Cambodia and Vietnam
State administration of ESEA Title I programs (OMB Cat. No. 13430)	To strengthen administration of ESEA, Title I
Right to Read (OMB Cat. No. 13533)	To stimulate institutions, government agencies and private organizations to improve and expand reading related activities for children, youths and adults
School maintenance and operation (OMB Cat. No. 13478)	To aid school districts on which federal activities or disasters have placed a financial burden
State equalization grants (OMB Cat. No. 13572)	To reimburse states for costs incurred in the development or administration of a plan for equalization of state and local school finances with primary purpose to achieve equality of opportunity for all children
Women's educational equity (OMB Cat. No. 13565)	To support development and implementation of capacity building programs contributing to women's educational equity and having a possible national impact

TYPE OF ASSISTANCEPURPOSE**PART B - For Strengthening Organizational Resources**

Alcohol and drug abuse
education programs
(OMB Cat. No. 13420)

To organize and train alcohol
and drug education leadership
teams at state and local
levels to develop programs
and leadership to combat
causes of alcohol and drug
abuse

Bilingual education
technical assistance
coordination (OMB Cat.
No. 13403)

To provide technical assist-
ance to local education agen-
cies operating Title VII Basic
Programs and to coordinate
bilingual programs within the
state

Education broadcasting
facilities (OMB Cat.
No. 13413)

To aid in the acquisition and
installation of broadcast
equipment for educational
radio and TV

Educational television
programming (OMB Cat.
No. 13541)

To fund development and dis-
semination of educational
television programs

Interlibrary coopera-
tion (OMB Cat. No.
13465)

To establish and operate
cooperative networks of
libraries

Library and learning
resources (OMB Cat.
No. 13570)

To help provide school library
resources, textbooks, and
other instructional materials,
instructional equipment, minor
remodeling, testing, counsel-
ing and guidance services in
elementary and secondary
schools

Library services (OMB
Cat. No. 13464)

To extend and improve public
library services, institutional
library services, and library
services to populations unserved
or inadequately served.

TYPE OF ASSISTANCE	PURPOSE
Projects in environmental education (OMB Cat. No. 13522)	To develop environmental and ecological awareness and problem solving skills through education programs conducted by formal and nonformal educational organizations and institutions
PART C - For Postsecondary Education Programs	
Basic institutional development (OMB Cat. No. 13454)	To provide partial support for cooperative arrangements between developing and established institutions
Advanced institutional development (OMB Cat. No. 13454)	To assist selected developing institutions enter the mainstream of higher education
Bilingual education stipends and institutional assistance (OMB Cat. No. 13403)	To train teachers, administrators and others working with bilingual education programs, to recruit faculty and encourage reforms and improvements in bilingual education curriculums at the undergraduate and graduate levels
College library resources (OMB Cat. No. 13406)	To strengthen postsecondary library resources
College Work Study (OMB Cat. No. 13463)	To stimulate and promote part-time employment of needy postsecondary students
Community service and continuing education programs (OMB Cat. No. 13491)	To strengthen higher education capabilities for helping communities solve their problems and to bring continuing education opportunities to adults
Cooperative education programs (OMB Cat. No. 13515)	To support planning and implementation of programs alternating periods of academic study and public or private employment

TYPE OF ASSISTANCE	PURPOSE
Cuban student loans (OMB Cat. No. 13409)	To provide a loan fund to aid Cuban refugee students
Educational opportunity centers (OMB Cat. No. 13543)	To operate centers assisting low income persons desiring to pursue a program of post-secondary education
Endowments to agriculture and mechanic arts colleges (OMB Cat. No. 13453)	To support instruction in agriculture and mechanic arts in land grant colleges
Improvement of post-secondary education (OMB Cat. No. 13925)	To aid postsecondary education reforms in curriculum development, teaching and administration
National Direct Student Loan Program (OMB Cat. Nos. 13469-470-471)	To help set up funds at higher education institutions for making low-interest loans to graduate and undergraduate students attending at least half time
National teaching fellowships and professors emeriti (OMB Cat. No. 13454)	To strengthen teaching resources of developing institutions
State planning commissions (OMB Cat. No. 13550)	To develop statewide comprehensive planning for post-secondary education
State student incentive grants (OMB Cat. No. 13548)	To encourage states to increase their appropriations for grants to needy students or to develop such grant programs where they do not exist (grants are on a matching 50-50 basis)
Student special services (OMB Cat. No. 13482)	To assist low income and handicapped students to complete postsecondary education

TYPE OF ASSISTANCE	PURPOSE
Supplemental education opportunity grants (OMB Cat. No. 13418)	To assist students of exceptional financial need to pursue a postsecondary education
Talent Search (OMB Cat. No. 13488)	To help identify and encourage promising students to complete high school and pursue postsecondary education
Upward Bound (OMB Cat. No. 13492)	To motivate young people with low income backgrounds and inadequate high school preparation to enter postsecondary training
Veterans cost of instruction (OMB Cat. No. 13540)	To encourage recruitment and counseling of veterans by postsecondary education institutions

PART D - For the Education of the Handicapped

Deaf-blind centers (OMB Cat. No. 13445)	To provide specialized intensive educational and therapeutic services to deaf-blind children and their families through regional centers
Early education for handicapped children (OMB Cat. No. 13444)	To aid state and local education agencies developing model preschool and early education programs for handicapped children
Gifted and talented children (OMB Cat. No. 13562)	To develop programs for gifted and talented children and to train teachers and leadership personnel for these children
Information and recruitment (OMB Cat. No. 13452)	To encourage recruitment of educational personnel into special education, to disseminate information, to provide referral services for parents of handicapped children

TYPE OF ASSISTANCE	PURPOSE
Media services and captioned film loan program-film (OMB Cat. No. 13446)	To advance the handicapped through film and other media including a captioned film loan service for cultural, educational and vocational enrichment of the deaf
Media services and captioned film loan program-centers (OMB Cat. No. 13446)	To establish and operate a system of centers on educational media for the handicapped
Media services and captioned film loan program-research (OMB Cat. No. 13446)	To contract for research into the use of educational and training films and other media for the handicapped and for production and distribution
Programs for children with specific learning disabilities (OMB Cat. No. 13520)	To provide for research and training and establishment of model centers for the early identification of children with learning disabilities
Programs for the handicapped-aid to states (OMB Cat. No. 13449)	To assist in initiation, expansion and improvement of programs and projects for the handicapped at preschool, elementary and secondary levels through grants to states and outlying areas
Programs for the handicapped in state supported schools (OMB Cat. No. 13427)	To strengthen programs for children in state supported schools
Personnel training for the education of the handicapped (OMB Cat. No. 13451)	To prepare and inform teachers and others who educate handicapped children and to ensure an adequate supply of personnel in this area through preservice and inservice training

TYPE OF ASSISTANCE	PURPOSE
Training of physical education and recreation personnel for handicapped children (OMB Cat. No. 13451)	To train physical education and recreation personnel to work with the handicapped
Regional education programs for the handicapped (OMB Cat. No. 13560)	To make grants or contracts to publicly supported educational institutions to develop and operate special educational programs at vocational, technical, postsecondary or adult levels for deaf or other handicapped persons
Handicapped regional resource centers (OMB Cat. No. 13450)	To establish regional resource centers that advise and offer technical services to educators for improving education of handicapped children
Severely handicapped projects (OMB Cat. No. 13568)	To meet education and training needs of severely handicapped children and youths by helping them become as independent as possible
Supplementary educational centers and services, guidance, counseling and testing for the handicapped (OMB Cat. No. 13519)	To provide vitally needed educational services in support of local innovative and exemplary projects in guidance, counseling and testing
PART E - For Developing and Strengthening International Studies Programs	
Consultant services of foreign curriculum specialists (OMB Cat. No. 13439)	To bring foreign resource persons to the U.S. to assist in developing language and area programs pertinent to their home regions
Group projects abroad for non-Western language and area studies (OMB Cat. No. 13440)	To train U.S. education personnel abroad in language and international studies, to develop comprehensive language programs for U.S. institutions

TYPE OF ASSISTANCE	PURPOSE
International studies centers (OMB Cat. No. 13435)	To upgrade training resources at Centers for International Studies including foreign language and area studies
International studies programs, graduate and undergraduate (OMB Cat. No. 13435)	To encourage international studies resources at the graduate and undergraduate levels
PART F - For Occupational, Adult, Vocational and Career Education	
Adult education (OMB Cat. No. 13400)	To provide adult basic education programs up to 12th grade competency
Bilingual vocational training (OMB Cat. No. 13558)	To assist in conducting bilingual vocational training programs so that vocational training programs are available to everyone needing them
Career education (OMB Cat. No. 13554)	To demonstrate effective methods and techniques in career education, to develop exemplary models and to enable state education agencies to plan for career education
Consumer and homemaking education (OMB Cat. No. 13494)	To help states conduct training programs in consumer and homemaking education, especially in economically depressed or high unemployment areas
Cooperative education for vocational students (OMB Cat. No. 13495)	To help states conduct vocational education programs of cooperative work-study arrangements
Indian education (OMB Cat. No. 13536)	To provide adult basic education and GED programs for Indian adults

TYPE OF ASSISTANCE	PURPOSE
Vocational education-basic programs (OMB Cat. No. 13493)	To maintain, extend and improve vocational education programs to develop programs in new occupations
Vocational programs for persons with special needs (OMB Cat. No. 13499)	To provide vocational education programs for disadvantaged persons who have not succeeded in regular programs
Vocational education-state advisory councils (OMB Cat. No. 13500)	To advise the State Board for Vocational Education on the development and administration of state plans to evaluate vocational education programs, services and activities
Work-Study programs for vocational students (OMB Cat. No. 13501)	To provide work opportunities for full time disadvantaged vocational education students
PART G - For Desegregation Assistance	
Desegregation assistance grants to non-profit organizations (OMB Cat. No. 13529)	To promote aid for community-based special programs and projects in support of school district desegregation plans
Desegregation assistance basic grants to LEAs (OMB Cat. No. 13525)	To provide aid to desegregating school districts for educational programs
Desegregation assistance pilot programs (OMB Cat. No. 13526)	To help desegregating school districts provide special help in the form of reading and math programs to overcome minority group isolation
Desegregation assistance bilingual programs (OMB Cat. No. 13528)	To help desegregating school districts provide bilingual-bicultural programs for children of limited English speaking ability.
Desegregation assistance educational TV (OMB Cat. No. 13530)	To develop and produce integrated children's educational television programs

TYPE OF ASSISTANCE	PURPOSE
Desegregation assistance special programs and projects (OMB Cat. No. 13532)	To lessen minority group isolation by supporting efforts of special merit not covered under ESAA legislation
ESAA evaluation (OMB Cat. No. 13531)	To evaluate programs and projects assisted under the Emergency School Aid Act
Desegregation assistance Civil Rights training and advisory services (OMB Cat. No. 13405)	To aid school districts in hiring advisory specialists to train employees and provide technical assistance in matters related to desegregation on the basis of race, color, religion, sex, national origin or language deficiencies

GROUP II: TO INDIVIDUALS--FOR TEACHER AND OTHER PROFESSIONAL TRAINING AND STUDENT ASSISTANCE

Basic educational opportunity grants (OMB Cat. No. 13539)	To provide financial assistance to undergraduate postsecondary students
College teacher graduate fellowships (OMB Cat. No. 13407)	To train persons as bilingual education teacher-trainers in universities and school districts
College teacher graduate fellowships (OMB Cat. No. 13407)	To increase the number of qualified college teachers
College Work-Study (OMB Cat. No. 13463)	To promote part-time employment of postsecondary students in great financial need
Cuban student loans (OMB Cat. No. 13409)	To provide loans to needy Cuban refugee students
National direct student loans (OMB Cat. No. 13471)	To provide low interest loans to postsecondary students

TYPE OF ASSISTANCE	PURPOSE
Domestic mining and mineral-fuel conservation fellowships (OMB Cat. No. 13567)	To assist graduate students in domestic mining and mineral-fuel conservation, including oil, gas, coal shale and uranium
Educational development (for educators from other countries)	To provide opportunity for foreign educators to observe U.S. methods, curriculum and organization at elementary, secondary and higher education levels
Ellender fellowships (OMB Cat. No. 13583)	To assist the Close Up Foundation of Washington, D.C. with its program for increasing understanding of the federal government among secondary school students and their communities
Fellowships abroad for doctoral dissertation research in foreign language and area studies (OMB Cat. No. 13441)	To develop research knowledge and international studies capabilities for specialized advanced work abroad
Fellowship opportunities abroad (OMB Cat. 13438)	To promote instruction in international studies through grants and faculty projects for overseas work
Foreign language and area studies fellowships (OMB Cat. No. 13434)	To pay stipends to individuals undergoing training in any modern foreign language
Guaranteed student loan program (OMB Cat. No. 13460)	To encourage private commercial institutions and organizations to make loans to postsecondary students
Indian education (OMB Cat. No. 13569)	To assist Indian professional and graduate students in engineering, medicine, law, business, forestry and related fields

TYPE OF ASSISTANCE	PURPOSE
Librarian training (OMB Cat. No. 13468)	To increase opportunities for training in librarianship
Media services and captioned films training grants (OMB Cat. No. 13446)	To train persons in the use of educational media for the handicapped
National teaching fellowships and professors emeriti (OMB Cat. No. 13454)	To strengthen the teaching resources of developing institutions
Public service career fellowships (OMB Cat. No. 13555)	To attract and prepare students for entrance into state, local or federal service
State student incentive grants (OMB Cat. No. 13548)	To encourage states to increase their appropriations for students or to develop such grant programs where they do not exist (grants are on a 50-50 matching funds basis)
Teacher Corps project grants (OMB Cat. No. 13489)	To improve the quality of instruction available to disadvantaged children
Training for the disadvantaged-CLEO (OMB Cat No. 13556)	To provide opportunities for economically and educationally disadvantaged students to study and practice law
Teacher exchange (OMB Cat. No. 13437)	To promote international understanding and professional competence by exchange of teachers between the U.S. and foreign nations
Training of physical education and recreation personnel for handicapped children (OMB Cat. No. 13451)	To train physical education and recreation personnel for the handicapped
Training teachers for the handicapped (OMB Cat. No. 13451)	To improve and increase the supply of education personnel trained to work with handicapped children

TYPE OF ASSISTANCE	PURPOSE
Vocational education personnel development awards (OMB Cat. No. 13503)	To meet state needs for qualified vocational education personnel by making awards to educators and institutions
Vocational education professional personnel development for states (OMB Cat. No. 13504)	To strengthen education programs authorized by the Vocational Education Amendments of 1968: to improve instruction and administration of vocational education at all levels
GROUP III: FOR RESEARCH	
Consumer education (OMB Cat. No. 13568)	To support research and development and pilot projects designed to provide consumer education to the public
Foreign language and area studies research (OMB Cat. No. 13436)	To improve foreign language and area studies through support of research and studies, experimentation and development of specialized instructional materials
Handicapped physical education and recreation research (OMB Cat. No. 13443)	To improve physical education and recreation programs for handicapped children through research and demonstration projects
Library demonstrations (OMB Cat. No. 13475)	To promote library and information science research and demonstrations

APPENDIX**K**

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 -- A SUMMARY OF THE IMPLEMENTING REGULATIONS

INTRODUCTION

Title IX of the 1972 Education Amendments is the first comprehensive Federal law to prohibit sex discrimination in the admission and treatment of students by education institutions receiving Federal financial assistance. Sex discrimination in the employment policies and practices of educational institutions is also prohibited. The intent of the law is to eliminate sex discrimination in the programs, policies and administration of educational institutions. It reads:

'No person in the United States shall, on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.'

The implementing regulation for Title IX was issued by the Secretary of Health, Education and Welfare in June, 1975. Its provisions may be grouped into five major sections--general provisions (contained in Subpart A of the regulation), which outline the general procedures required for ensuring nondiscrimination and compliance with the regulation; coverage provisions (Subpart B of the regulation), which identify the education institutions, programs and activities covered by the regulation; admissions provisions (Subpart C of the regulation), which specify prohibitions of discrimination in the recruitment and admissions of students; provisions pertaining to the treatment of students in educational programs and activities (Subpart D of the regulation), which delineate the standards of nondiscrimination in student programs; and employment provisions (Subpart E of the regulation), which establish the requirements for nondiscrimination in employment.

Following is a summary of the regulation. It follows the sequence of the regulation itself; the number contained in brackets at the end of each summary paragraph refers to the section of the regulation from which the information is derived.

Two definitions contained in the regulation are of importance to users of this summary:

Recipient: The "recipient" referred to throughout the summary is defined as "any public or private agency, institution, or organization, or other entity, or any

person, to whom Federal financial assistance is extended directly or through another recipient and which operates an education program or activity which receives or benefits from such assistance." [§86.2(h)]

Federal financial assistance: Education agencies or institutions which receive any of the following are considered recipients of "Federal financial assistance" for purposes of Title IX:

Grants or loans from the Federal Government, including funds for:

Acquisition, construction or renovation of buildings or facilities;

Scholarships, loans, grants, wages or other funds extended for payment to or on behalf of students of the institution, whether paid to the institution or directly to students for payment to the institution.

Grants of Federal property

Provision of the services of Federal personnel

Any other contract, agreement or arrangement which has as one of its purposes the provision of assistance to any education program or activity, except a contract of insurance or guaranty. [§ 86.2(g)]

Copies of the regulation have been supplied to all local education agencies and postsecondary institutions. Copies of the regulation may also be obtained from the Department of Education, Washington, D.C. 20201.

TITLE IX--A SUMMARY OF THE IMPLEMENTING REGULATION

GENERAL PROVISIONS

Remedial action. In the event of a finding of sex discrimination by the Director of the Office for Civil Rights in an education program or activity of a Federally assisted institution or agency, the institution or agency may be required to take remedial action to overcome the effects of such discrimination. Such requirement would be specified by the Director. [§86.3(a)]

Affirmative action. In the absence of a finding of sex discrimination, a recipient educational institution may take affirmative action to overcome the effects of conditions which resulted in limited participation by persons of a particular sex. [§86.3(b)]

Self-evaluation. Every education institution receiving Federal funds must, within one year of the effective date of the regulation:

- Evaluate its policies and practices as to their compliance with the regulation

- Modify its policies and practices as necessary for compliance

- Take appropriate remedial steps to eliminate the effects of discrimination resulting from these policies and practices

A description of any modifications and remedial actions taken must remain on file for at least three years following completion of the evaluation. [§86.3(c)]

Assurance required. Every application for Federal financial assistance for any education program or activity must as a condition of its approval, contain or be accompanied by an assurance form certifying compliance with the regulation. Forms will be supplied by the Office for Civil Rights, ED. [§86.4]

Designation of responsible employee. Every recipient must designate at least one employee to coordinate compliance efforts and investigate any complaints of sex discrimination; all students and employees must be noti-

fied of the name, office address and phone number of the employee. [§86.8(a)]

Grievance procedures. Every recipient must adopt and publish grievance procedures providing for resolution of student and employee complaints. (Utilization of these procedures is not a prerequisite for the filing of a complaint with the Office for Civil Rights, ED.) [§86.9(a)]

Notification of policy. Recipients must take specific and continuing steps to notify applicants for admission, students, parents, employees, and all unions or professional organizations holding bargaining or professional agreements with the recipient of its compliance with Title IX. Initial notification was required by October 19, 1975. [§86.9(a)]

Publications. Recipients must include a policy statement of nondiscrimination on the basis of sex announcement, bulletin, catalog, application form or other materials used in connection with the recruitment of students or employees. No publication should suggest, by text or illustration, that the recipient treats students, applicants or employees differently on the basis of sex except as permitted by the regulation. [§86.9(b)]

COVERAGE

General. The regulation applies to every recipient and to each education program or activity operated by a recipient which receives or benefits from Federal financial assistance. (Information regarding judicial interpretation of this language is provided in the preamble to the regulation. In analogous cases regarding racial discrimination, courts have held that the education functions of a school district or college include any service, facility, activity, or program which it operates or sponsors; including athletics and other extracurricular activities. The Federal funds may be terminated upon a finding that "they are infected by a discriminatory environment.") [§86.11]

Exemptions from coverage include: educational institutions controlled by religious organizations, to the extent that compliance would not be consistent with religious tenets; military and merchant marine educational insti-

tutions; and social fraternities and sororities in post-secondary institutions. YMCA's and YWCA's, Girl and Boy Scouts, Camp Fire Girls and other voluntary youth service organizations. [§86.12, §86.13 and §86.14]

Coverage of the admissions provisions applies only to institutions of vocational education, professional education, graduate higher education, and public institutions of undergraduate higher education, other than those which have been traditionally and continually single sex. This does not include first-degree professional and vocational programs offered at private undergraduate institutions. [§86.15]

ADMISSIONS

The regulation requires that no person may, on the basis of sex, be denied admission or be subject to discrimination in admission by any recipient subject to the admissions provisions of Title IX. Specifically prohibited are:

Ranking applicants separately on the basis of sex;

Applying numerical limitations on the number or proportion of either sex who may be admitted;

Treating one individual differently from another on the basis of sex;

Administering any test or criterion for admission which has a disproportionately adverse effect on members of one sex unless such test or criterion is shown to validly predict success in the education program or activity and alternative tests are not available;

Applying any rule concerning the actual or potential parental, marital or family status of a student which treats persons differently on the basis of sex;

Discriminating against or excluding any person on the basis of pregnancy or related conditions (these must be treated as any other temporary disability);

Making pre-admission inquiry as to the marital status of an applicant. [§86.21(a), (b), (c)]

Discrimination in the recruitment of applicants for admission is also prohibited:

Preference may not be given nor may applicants for admission be recruited on the basis of attendance at an educational institution which is predominantly single sex unless the pool of applicants eligible for such preferences includes roughly equivalent numbers of males and females [§86.22];

A recipient may not discriminate on the basis of sex in the recruitment of students unless additional recruitment efforts for members of one sex are undertaken as remedial or affirmative action. [§86.23(a)]

TREATMENT OF STUDENTS IN EDUCATION PROGRAMS AND ACTIVITIES

General. All education institutions or activities receiving Federal financial assistance are subject to these regulatory requirements, including those whose admissions are exempt from coverage. This portion of the regulation requires that:

'no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training or any other education program or activity operated by a recipient.' [§86.3(a)]

It specifically provides that recipient institutions may not, on the basis of sex:

Provide different aid, benefits or services;

Deny any person such aid, benefits or services;

Subject any person to separate or different rules of behavior, sanctions or other treatment;

Discriminate against any person in the application of any rules of appearance;

Apply any rule concerning the domicile or residence of a student or applicant, including eligibility for in-state tuition;

Provide significant assistance (defined in the preamble to the Regulation as facilities or a faculty sponsor) to any agency, organization or person which discriminates on the basis of sex in providing any aid, benefits or services to students or employees;

Limit any person in the enjoyment of any right, privilege, advantage or opportunity. [\$86.13(b)]

Assistance administered by an institution for study abroad. A recipient institution may administer awards established by foreign or domestic legal instruments restricted to members of one sex which are designed to provide opportunities for study abroad provided the institution otherwise makes available reasonable opportunities for members of the other sex. [\$86.31(c)]

Programs not operated by recipients. A recipient institution may not facilitate, require, permit or consider as part of an activity or program it operates, participation by any applicant, student or employee in a program not operated by the recipient which discriminates on the basis of sex. This includes participation in educational consortia and cooperative employment and student teaching assignments. [\$86.31(d)]

Housing. A recipient may not, on the basis of sex, apply different rules or regulations, impose different fees or requirements or offer different services or benefits related to housing. A recipient may provide separate housing on the basis of sex, provided that housing provided for students of one sex, when compared to that provided to students of the other, is as a whole proportionate in quantity to the number of students of that sex applying and comparable in quality and cost to the student. [\$86.32(a)(b)]

A recipient which assists any agency or person in making housing available to its students must take reasonable action to assure itself that housing provided is proportionate in quantity and comparable in quality and cost to students of both sexes. A recipient may not, on the basis of sex, administer different policies or practices concerning occupancy by its students in housing other than provided by the recipient. [\$86.32(c)]

Facilities. A recipient may provide separate toilet, locker room and shower facilities on the basis of sex; those provided for one sex must be comparable to those provided for the other. [§86.33]

Course offerings. Course offerings or other education activities may not be provided separately on the basis of sex, nor may participation therein be refused or required on such basis. Included are health, physical education, industrial, business, vocational, technical, home economics, music and adult education courses. [§86.34]

With respect to physical education courses, institutions must comply with this requirement as expeditiously as possible but in no event later than one year from the effective date of the regulation at the elementary level and three years from the effective date of the secondary and postsecondary levels. Students may be grouped by ability in physical education classes and activities as long as ability is assessed by objective standards developed and applied without regard to sex. Students may be separated by sex within physical education classes during participation in contact sports. [§86.34(a)(b)(c)]

Portions of classes in elementary and secondary schools which deal exclusively with human sexuality may be conducted separately for males and females. [§86.34(e)]

Recipient institutions may make requirements based on vocal range or quality which result in choruses of one or predominantly one sex. [§86.34(f)]

Schools of vocational education. A local education agency may not, on the basis of sex, exclude any person from admission to any institution of vocational education or any other school or educational unit it operates unless it otherwise makes available to such person, pursuant to the same policies and criteria of admission, courses, services and facilities comparable to each course, service and facility offered in or through such schools. [§86.35]

Counseling and counseling materials. Institutions may not discriminate against any person on the basis of sex in the counseling or guidance of students or applicants. [§86.36(a)]

Recipients may not use different materials for students on the basis of sex or use materials which permit or require differential treatment of students on such basis unless such materials cover the same occupations and interest areas and their use is shown to be essential to eliminate sex bias. Recipients must develop and use internal procedures for ensuring that counseling materials do not so discriminate. [§86.36(b)]

Where a recipient finds that a particular class or course of study contains a substantially disproportionate number of individuals of one sex, the recipient must take such action as is necessary to assure itself that this disproportion is not the result of sex discrimination by counselors or in counseling materials. [§86.36(c)]

Financial assistance. Recipients may not, on the basis of sex:

Provide different amounts or types of financial assistance, limit eligibility for such assistance or apply different criteria;

Apply any rule concerning eligibility for such assistance which treats persons of one sex differently from persons of the other with regard to marital or parental status;

Assist, through solicitation, listing, approval, or provision of facilities or services, any agency or person which provides assistance to a recipient's students in a manner which discriminates on the basis of sex. [§86.37(a)]

Recipients may administer financial assistance established by domestic or foreign instruments which require that awards be made to members of a specified sex provided that the overall effect of the awarding of such sex-restricted funds does not discriminate on the basis of sex. To ensure such nondiscriminatory effect:

Students must be selected for awards of financial assistance on the basis of nondiscriminatory criteria;

An appropriate sex-restricted award should be allocated to each student selected;

No student may be denied the award for which he or she was selected because of absence of financial assistance designed for a member of that student's sex. (According to the preamble of the regulation, if there are insufficient sources of financial aid designated for members of a particular sex to provide funds for students of that sex selected, the institution is required to obtain the necessary funds from other sources or to award less assistance from the sex-restricted sources.) [§86.37(b)]

If a recipient awards athletic scholarships, it must provide reasonable opportunities for such awards for members of each sex in proportion to the number of students of each sex participating in interscholastic or intercollegiate athletics. Separate athletic scholarships for members of each sex may be provided as part of separate athletic teams for members of each sex to the extent consistent with the portion of the regulation dealing with athletics. [§86.37(c)]

Employment assistance to students. A recipient institution which assists any agency or person in making employment available to its students must assure itself that employment is made available without discrimination; it may render no services or assistance to agencies or individuals which discriminate on the basis of sex in employment practices. [§86.38]

Health and insurance benefits and services. Institutions may not discriminate on the basis of sex in providing medical, hospital, accident or life insurance benefits, services, policies or plans to any students. This does not prohibit a recipient from providing any benefit or service which may be used by a different proportion of students of one sex than of the other, including family planning services. Any recipient which provides full coverage health services must provide gynecological care. [§86.39]

Marital or parental status. A recipient may not apply any rule concerning a student's actual or potential parental, family or marital status which treats students differently on the basis of sex. [§86.40(a)]

No student may be discriminated against or excluded from an education program or activity (including any class or extracurricular activity) on the basis of pregnancy or related conditions unless the student requests voluntarily to participate in a separate portion of the program or activity. [§86.40(b)]

A recipient may require a pregnant student to obtain a physician's certification of her physical and emotional ability for normal participation in the education program or activity if such certification is required of all students for other physical or emotional conditions requiring the attention of a physician.

A recipient which operates a portion of its education program separately for pregnant students, admission to which is voluntary, must ensure that this program is comparable to the program offered to nonpregnant students.

A recipient must treat pregnancy and related conditions in the same manner and under the same policy as any other temporary disability with respect to any medical or hospital benefit, service, or policy in which such recipient participates with respect to students. If there is no leave policy maintained for students, pregnancy and related conditions must be treated as justification for a leave of absence, after which a student shall be reinstated to the status she held before the leave began. [§86.40(b)]

Athletics. The general requirement of this section is that:

no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, intercollegiate, club or intramural athletics offered by a recipient, and no recipient shall provide athletics separately on such basis. [§86.41(a)]

Separate teams may, however, be operated for members of each sex where:

Selection for such teams is based upon competitive skill; or

The activity involved is a contact sport.

Where a recipient operates or sponsors a team in a particular sport for members of one sex but operates no such team for members of the other, and athletic opportunities for members of that sex have previously been limited, members of the excluded sex must be allowed to try out for the team offered unless the sport involved is a contact sport (boxing, wrestling, rugby, ice hockey, football, basketball and other sports the major activity of which involves bodily contact). [§86.41(b)]

Equal opportunity for members of both sexes must be provided in interscholastic, intercollegiate, club or intramural athletics operated or sponsored by a recipient. In assessing the availability of equal opportunity, ED will consider, among other factors:

Whether the selection of sports and levels of competition effectively accommodate the interests and abilities of members of both sexes;

Provision of equipment and supplies;

Scheduling of games and practice time;

Travel and per diem allowance;

Opportunity to receive coaching and academic tutoring;

Assignment and compensation of coaches;

Provision of locker rooms, practice and competitive facilities;

Provision of housing and dining facilities and services;

Publicity.

Unequal aggregate expenditures for members of each sex or for male and female teams will not constitute noncompliance, but ED may consider the failure to provide neces-

sary funds for teams for one sex in assessing equality of opportunity. [§86.41(c)]

All recipient institutions must comply as expeditiously as possible; elementary schools must be in full compliance with this section within one year from the effective date of the regulation, secondary and postsecondary schools within three years. [§86.41(d)]

Textbooks and curricular materials. Nothing in the regulation requires or prohibits the use of particular textbooks or curricular materials. [§86.42]

EMPLOYMENT

[In a November 1979 ruling, the U.S. Supreme Court, in effect, removed this section from Title IX. Sex discrimination in employment is covered under Title VII of the Civil Rights Act of 1964.]

General. All education institutions receiving Federal financial assistance must comply with the employment provisions of the regulation. In general, the regulation prohibits:

Exclusion from participation in, denial of the benefits of, or subjection to discrimination on the basis of sex of any person in employment, or recruitment, consideration or selection thereof, whether full or part-time.

The limitation, segregation, or classification of applicants or employees in any way which could adversely affect any employment opportunities or status because of sex;

Entrance by a recipient into any contractual or other relationship which directly or indirectly has the effect of subjecting employees or students to sex discrimination, including relationships with employment and referral agencies, with labor unions, and with organizations providing or administering fringe benefits to employees of the recipient;

The granting of preferences to applicants for employment on the basis of attendance at a single sex educational institution, unless the numbers of each sex

eligible for such preference are roughly equivalent.
[§86.51(a)]

Specifically, discrimination is prohibited in:

Recruitment, advertising and the process of application for employment;

Hiring, upgrading, promotion, tenure, demotion, transfer, layoff, termination, application of nepotism policies, right of return from layoff and rehiring;

Rates of pay or any other form of compensation;

Job assignments, classifications and structure, including position descriptions, lines of progression and seniority lists;

The terms of any collective bargaining agreement;

Granting and returning from leaves of absence, leaves for pregnancy and related conditions, leaves for persons of either sex to care for children or dependents;

Fringe benefits;

Selection and financial support for training, including apprenticeship, professional meetings, conferences and other related activities, selection for tuition assistance, sabbaticals and leaves of absence to pursue training;

Employer sponsored activities, including social or recreational programs;

Any other term, condition or privilege of employment.
[§86.51(b)]

Employment criteria. A recipient may not administer any test or other criterion for employment opportunity which has a disproportionately adverse effect on persons on the basis of sex unless it is shown to validly predict successful performance in the position in question and alternative tests or criteria are not available. [§86.52]

Recruitment. A recipient may not discriminate on the basis of sex in the recruitment and hiring of employees. When a recipient is found to be presently discriminating on the basis of sex (or to have so discriminated in the past), it will recruit members of the sex so discriminated against so as to overcome the effects of past or present discrimination. A recipient may not recruit primarily at entities which furnish as applicants predominantly members of one sex. [\$86.53]

Compensation. A recipient may not, on the basis of sex, make distinctions in rates of pay or other compensations which result in the payment of wages to employees of one sex at a rate less than that paid to employees of the other sex for equal work on jobs, the performance of which requires equal skill, effort and responsibility and which are performed under similar working conditions. [\$86.54]

Job classification. A recipient may not:

- Classify a job as being for males or females;

- Maintain separate lines of progression, seniority lists, career ladders or tenure systems based on sex;

- Maintain separate lines of progression, etc., which classify persons on the basis of sex unless sex is a bona fide occupational qualification for the positions in question. [\$86.55]

Fringe Benefits. Under this regulation, fringe benefits means any medical, hospital, accident, life insurance or retirement benefit, service, policy or plan, any profit-sharing or bonus plan, leave and any other benefit or service of employment. A recipient shall not:

- Discriminate on the basis of sex with regard to making fringe benefits available to employees, or making fringe benefits available to spouses, families or dependents of employees differently upon the basis of the employee's sex;

- Administer, operate, offer or participate in a fringe benefit plan which does not provide either for equal periodic benefits or equal recipient contributions to the plan for members of each sex;

Participate in a pension or retirement plan which establishes different optional or compulsory retirement ages based on sex or which otherwise discriminates on such basis. [§86.57(a)(b)]

Marital or parental status. A recipient may not:

Take any employment action concerning the potential marital, parental or family status of an employee or applicant which treats persons differently on the basis of sex; or

Which is based upon whether an employee or applicant is the head of household or principal wage earner. [§86.56(a)]

Pregnancy. A recipient may not discriminate against or exclude any employee or applicant on the basis of pregnancy or related conditions. Pregnancy and all related conditions must be treated as any other temporary disability for all job related purposes, including commencement, duration, and extensions of leave, payment of disability income, accrual of seniority and reinstatement, and under any fringe benefits offered to employees. If a recipient does not maintain a leave policy for its employees, pregnancy and related conditions must be treated as a justification for a leave of absence without pay for a reasonable period of time, at the conclusion of which the employee shall be reinstated to the status which she held when the leave began, or to a comparable position, without decrease in rate of compensation or loss of promotional opportunities. [§86.57(b)(c)(d)]

Pre-employment inquiries. A recipient may not make pre-employment inquiry as to the marital status of an applicant for employment. A pre-employment inquiry as to applicant sex may be made, but only if such inquiry is made equally of applicants of both sexes and if the results of the inquiry are not used to discriminate. [§86.60(a)(b)]

Sex as a bona fide occupational qualification. Recipients may make employment decisions prohibited by the regulation provided they can demonstrate that sex is a bona fide occupational qualification which is essential for carrying out job responsibilities. Such action cannot be based on alleged characteristics or stereotyped charac-

terizations of one or the other sex, or on preference based on sex of the recipient, employees, students or other persons. This does not prevent consideration of an employee's sex in relation to employment in a locker room or toilet facility used only by members of one sex. [§86.61]

ENFORCEMENT PROCEDURES

Pending ED's final issuance of a consolidated procedural regulation applicable to Title IX and other civil rights legislation administered by the Department, the procedures applicable to enforcement of Title VI of the Civil Rights Act of 1964 will be used to implement the regulation under Title IX. Under these existing procedures, complaints alleging violations of Title IX may be filed by letter to the Office for Civil Rights, Department of Education, Washington, D.C. 20201 or to the Denver Regional Office of the U.S. Department of Education.

WORKSHOP EVALUATION

THE ADMINISTRATOR'S ROLE

Date _____ School District _____

DIRECTIONS: Complete and return to the workshop facilitator using the rating scale below that shows 1 as the lowest and 5 as the highest value.

		1	2	3	4	5
☐ Female	1. The workshop objectives were met:	Low		High		
☐ Male	a. Shared progress and concerns of administering Title IX.	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
Your role as a member of this workshop:	b. Reviewed basic compliance procedures.	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
	c. Considered role and increasing effectiveness of Title IX Coordinator in own agencies.	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
	d. Considered problems of implementation of grievance procedures.	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
☐ Student						
☐ Parent						
☐ Teacher						
☐ Special Services						
☐ Administrator	e. Provided framework for evaluating self-evaluations.	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
	f. Provided framework for monitoring process.	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
<u>Years of Age</u>	2. There was enough time to get the information I needed.	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
☐ 6-15						
☐ 16-20	3. My feelings about implementing sex equity in the schools were changed or reaffirmed by this workshop.	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
☐ 21-25						
☐ 26-30	4. I would rate the organization and format of this workshop as ...	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
☐ 31-45						
46-above	5. The subject matter was useful to me professionally.	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
	6. The subject matter was useful to me personally.	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
	7. I feel I am/will be an effective advocate for sex equity.	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
	8. Comments: _____					

1980-1982 EDUCATIONAL PRIORITIES

OF THE COLORADO STATE BOARD OF EDUCATION

ACCOUNTABILITY AND ACCREDITATION

Assist local school districts with the implementation of accountability and accreditation programs, emphasizing educational excellence and high standards for all students.

EQUAL EDUCATIONAL OPPORTUNITY

Assist and support unique efforts of each school district to provide an equal and relevant educational opportunity for all students including the skills which lead to self-esteem and self-realization. Furthermore, to encourage districts to develop student policies and programs which emphasize respect for one's self and others.

EFFICIENCY AND EFFECTIVENESS

Assist school districts in their efforts to operate efficiently and effectively and, in particular, to find solutions to the problems presented by inflationary increases, rising fuel costs, declining enrollments, and increasing paperwork and data demands.

EDUCATIONAL LEADERSHIP

Support interagency agreements, legislation, and policies beneficial to K-12 education in Colorado. To be aware of developments in the new U.S. Department of Education to ensure respect for state and local control with accountability. To provide opportunities for all citizens to address educational problems and contribute to their solutions.

TEACHER EDUCATION

Assist the 15 teacher education programs in their responsibility of providing high quality personnel for Colorado schools and encourage responsible teacher education programs leading to the professional growth of the teaching profession.

PARENT INVOLVEMENT

Assist school districts in increasing the involvement of parents by apprising them of their rights and responsibilities and ways in which they can support the education of their own children.

STATE LIBRARY DEVELOPMENT

Develop specific regional and statewide plans for implementation of recommendations coming from the recent Governor's Conference and White House Meeting on Libraries.

SCHOOL FOR THE DEAF AND THE BLIND

Follow through on the studies begun in 1980 to set the role and mission of the School for the Deaf and the Blind for the next five years. Continued emphasis should be given to programs for parents of deaf and/or blind children in Colorado.

COLORADO STATE BOARD OF EDUCATION

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